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**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF THE SECRETARY**

Unless otherwise indicated, all dates given are for 2002.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OFFICE OF THE SECRETARY

The mission of the California Environmental Protection Agency (Cal/EPA) is to restore, protect, and enhance the environment to ensure public health, environmental quality, and economic vitality. Cal/EPA's vision is of a California that enjoys a clean, healthy, sustainable environment that sustains the quality of life for current and future generations, and protects our diverse natural resources.

Sustainability and Pollution Prevention

Also known as source reduction, pollution prevention (P2) is an environmental protection approach that reduces or eliminates pollutants before they are generated, in contrast to more traditional regulations that seek to control pollutants via management strategies. P2 is an essential function of Cal/EPA, and its boards, departments, and offices have long included pollution prevention strategies as a preferred method for lessening the impacts of toxic and other problematic chemicals on the environment. Even so, there is great interest both within Cal/EPA and from industry and the public for an agencywide, comprehensive, multimedia approach to P2 that would provide for better coordination of these activities, especially within the context of promoting sustainable management systems. The Office of the Secretary's P2 efforts are directed toward this end.

The Cal/EPA Strategic Vision promotes P2, supporting the "integration of pollution prevention strategies into the mainstream of the permitting and regulatory process."

Goal 4, "Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents," features no less than five objectives that focus on reducing or minimizing chemical contaminants and waste streams.

Accomplishments

1. **Guiding Principles:** Cal/EPA identified four fundamental elements that are essential for an effective agencywide, comprehensive, multimedia pollution prevention program: (1) a prevention mindset; (2) effective coordination of all environmental programs; (3) an emphasis on multimedia solutions; and (4) pollution prevention is a necessary component of any integrated management system that supports a sustainable environment. The Secretary has instructed staff to adopt these elements as guiding principles for their program building efforts.
2. **California P2 Partnership:** The California P2 Partnership is a project initiated by the Department of Defense (DoD) to establish a stronger working relationship with the State of California to better protect the environment by promoting pollution prevention, enhancing

communication, and fostering innovation. Cal/EPA entered into negotiations on behalf of the State with DoD to move towards adoption of a P2 partnership charter. The partnership kick-off session was recently completed in San Diego (June 11) at the naval submarine base with more than 50 attendees representing DoD, Cal/EPA, and several of the military bases in California. There was consensus after this initial conference to schedule a subsequent working session to draft the actual charter.

3. **Coordination Meetings:** The Sustainability Steering Committee met to discuss their task of promoting and coordinating an agencywide pollution prevention agenda, including the specific recommendations from the SB 1916 Pollution Prevention Advisory Committee. The committee is considering the appointment of an agencywide team of senior managers to: 1) discuss pollution prevention initiatives; 2) identify ways to improve cross-media and cross-program coordination; 3) establish a public participation process; and 4) promote P2 as a key component of sustainable management systems.

Priorities

1. **California P2 Partnership:** Cal/EPA will continue to participate in the effort to draft and adopt a P2 Partnership Charter with DoD. Cal/EPA will host a charter drafting conference in late summer 2002. DoD, Cal/EPA, and various California-based service commanders expect to sign the charter at a formal ceremony before the end of the year. A partnership work plan will also be prepared to guide subsequent implementation steps in pursuit of the charter's goals.
2. **P2 Coordination Meetings:** Cal/EPA will convene a P2 coordinating team and adopt a governing charter as the first step in implementing an agency-level P2 program. The P2 team, in cooperation with the Sustainability Steering Committee, will adopt a P2 work plan to guide subsequent implementation steps in pursuit of the recommendations of the SB 1916 Pollution Prevention Advisory Committee and Cal/EPA's Strategic Vision.
3. **Pollution Prevention Leadership:** The Office of the Secretary will assist in preparations for, and will participate actively in, the celebration of National Pollution Prevention Week (September 16–22); and will participate in the P2 Annual Western Regional Conference.

Environmental Justice Program

Starting in the early 1980s, minority and low-income communities across the nation began to question whether they bore a disproportionate amount of environmental risk. Environmental justice (EJ) is a priority for Cal/EPA. In 1999, Governor Davis signed the first legislation in the nation that defined, established, and funded a statewide environmental justice program (SB 115, Solis, Chapter 728, Statutes of 1999). In Cal/EPA's Strategic Vision document published in July 2000, Cal/EPA articulated the goal of environmental justice "to reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations."

Accomplishments

1. **Joint Meeting of the Interagency Working Group on Environmental Justice and Cal/EPA Advisory Committee on Environmental Justice:** On May 18, Secretary Hickox chaired and convened the first joint meeting of the interagency working group and the advisory committee in Los Angeles to discuss environmental justice priorities for Cal/EPA. Approximately 150 people representing communities throughout the state attended and provided public testimony on local environmental justice issues affecting their respective communities.
2. **Cal/EPA Advisory Committee on Environmental Justice:** Cal/EPA established an external 13-member environmental justice advisory committee. The advisory committee conducted two public meetings—May 17, in Los Angeles, and June 19, in Oakland—to discuss the development of Cal/EPA’s intra-agency environmental justice strategy. The committee provides recommendations and functions as a resource in the development and implementation of environmental justice priorities for Cal/EPA. Approximately 200 people representing communities throughout California attended both meetings.
3. **National Environmental Justice Demonstration Pilot Project:** Cal/EPA, the Air Resources Board (ARB), the Office of Environmental Health Hazard Assessment (OEHHA), the Department of Toxic Substances Control (DTSC), and a broad range of federal, State, local, community, and private sector stakeholders are partners in a two-year Federal Interagency Environmental Justice Demonstration Project in Barrio Logan (a section of San Diego). The purpose of the project is to identify, mobilize, and coordinate federal, State, local, and community resources to improve air quality and community and public health, especially children’s health. The U.S. EPA serves as the federal lead for this project, and the Environmental Health Coalition serves as the local community lead. The demonstration project is intended to provide air monitoring data to the community, investigate the incidence of asthma among residents, and educate residents about health problems that air pollution can cause. Additional objectives of the project are to encourage residents to become involved in: 1) identifying opportunities for pollution prevention, 2) reducing hazardous waste, 3) improving land use, and 4) improving environmental law enforcement, inspection, and permitting.
4. **Environmental Justice Web Page:** Cal/EPA developed an environmental justice Web page dedicated to facilitate access to environmental information and resources for stakeholders interested in environmental justice. Cal/EPA recognizes that to effectively engage affected communities in decision-making processes it must enhance their ability to participate. One way of achieving this is by making information accessible to stakeholders in a timely manner. The Web page provides information about the environmental justice program at Cal/EPA, legislation, partners, news, events, and links. The Web page address is: www.calepa.ca.gov/EnvJustice/.
5. **Cal/EPA Agencywide Commitment to Environmental Justice:** On March 28, Secretary Hickox reinforced Cal/EPA’s commitment to environmental justice (EJ) with an agencywide

environmental justice commitment memorandum. The memorandum articulates Cal/EPA's commitment to ensure the incorporation of environmental justice into programs, projects, policies, and activities throughout Cal/EPA and its BDOs.

6. **Environmental Justice Training:** Cal/EPA conducts monthly environmental justice training for all staff to raise awareness on EJ issues and provide fundamental skills on examining EJ issues. The training is conducted by a team of Cal/EPA staff representing the boards, departments, and offices within Cal/EPA. Approximately 500 Cal/EPA staff members have been trained.

Priorities

1. **Intra-Agency Environmental Justice Strategy:** Cal/EPA, in partnership with the interagency working group on environmental justice and the advisory committee on environmental justice, will be developing an agencywide EJ strategy. Public workshops will be conducted to seek public input.
2. **Environmental Justice and Public Participation:** Cal/EPA will begin work to examine opportunities to enhance its public participation efforts on environmental justice issues. Cal/EPA will develop a guide for staff on how to effectively engage with communities and stakeholders on EJ issues.
3. **Cal/EPA Grants and Loans Funding Opportunities:** Cal/EPA will develop a comprehensive list of existing grants and loan funding opportunities available to communities and nonprofits. The intent of this document is to provide accessible information on funding opportunities within Cal/EPA.
4. **Environmental Justice Training:** Cal/EPA will continue to provide monthly EJ training to staff. The environmental justice training covers both general concepts and media-specific issues in addressing environmental justice.

Brownfields

Cal/EPA is committed to putting California's brownfields (areas previously used for industrial purposes that are now polluted or perceived to be polluted) back into productive use in order to stimulate redevelopment in urban cores, protect public health and the environment, provide jobs, and improve the quality of life in affected communities.

To accomplish these goals, Cal/EPA—with DTSC and the State Water Resources Control Board (SWRCB)—identifies impediments to brownfields cleanup and redevelopment, develops cleanup incentives, coordinates available cleanup processes, and develops networks that can assist in cleaning up and redeveloping brownfields.

Accomplishments

1. **Brownfields Coordination:** Cal/EPA continued discussions with State, local, and federal agencies—as well as with developer, business, environmental, and community interests—to

develop relationships with all involved in brownfields development activities and to identify brownfields policy issues.

2. **Cleanup Processes:** Cal/EPA participated with DTSC, SWRCB, regional water quality control boards, and the California Integrated Waste Management Board (CIWMB) in ongoing efforts to examine the various State-overseen cleanup processes and programs. The goal has been to identify differences between those processes and programs and the impacts of those differences.
3. **Brownfields Working Group:** Cal/EPA held its first meeting of the Brownfields Working Group, comprised of representatives of the local governments, businesses, developers, and environmental justice and environmental advocacy groups to identify additional brownfields cleanup and development impediments.
4. **Brownfields Environmental Insurance:** Cal/EPA hired MGP Environmental Partners LLC to assist in the implementation of the Financial Assurance and Insurance for Redevelopment (FAIR) Program. In developing the request for proposals for the program, Cal/EPA has conducted stakeholder forums (including two public workshops) to gain input and insights on how the program should be focused.
5. **Implementation of SB 32 (Escutia):** Cal/EPA, in conjunction with DTSC, SWRCB, and OEHHA, has begun the process of implementing the various facets of the California Land Environmental Restoration and Reuse Act (SB 32, Escutia Chapter 764, Statutes of 2001), which established the CLERR program. In implementing this program, Cal/EPA has done the following:
 - Oversight Agency Guidelines. Cal/EPA has prepared guidelines for oversight agency selection to be used under the CLERR program and posted those on its Web site.
 - Screening Values. Cal/EPA, in consultation with DTSC, SWRCB and OEHHA, has identified the list of compounds for which screening values are to be developed and has identified specific questions to ask of peer reviewers of the screening values developed by the San Francisco RWQCB (found in the board's document entitled "Application of Risk-Based Screening Levels and Decision-Making to Sites with Impacted Soil and Groundwater, Interim Final, December 2001").
 - Pilot Program. Cal/EPA has initiated the required pilot study on the use of screening numbers as a tool for promoting cleanup of contaminated sites in three RWQCB areas (Los Angeles, Santa Ana, and San Diego). To provide preliminary information on the pilot study and to solicit applications for participation in the study, a brochure describing the pilot study and an online application form have been developed.
6. **Cal/EPA Brownfields Web Site:** Cal/EPA has developed a Web site that provides information on the various Cal/EPA brownfields programs.

Priorities

1. **Brownfields Environmental Insurance:** Cal/EPA will continue with its efforts to develop the FAIR program. The request for qualifications and proposals will be advertised by August. Cal/EPA will host discussions with insurance companies regarding the request for qualifications and proposals and receive and evaluate proposals. If any of the proposals meet the objectives of the program, Cal/EPA will make a selection and negotiate program features and policy terms. The activities in this second half of the year are intended to lead to implementation of the program by early 2003.
2. **Implementation of SB 32 (Escutia):** Cal/EPA will continue to implement the various facets of the CLERR program. In implementing this program, Cal/EPA, anticipates the following:
 - Screening values. The SWRCB will submit a request to the president of the University of California requesting that peer reviewers be identified, and submit for peer review the San Francisco Regional Water Quality Control Board's document entitled "Application of Risk-Based Screening Levels and Decision-Making to Sites with Impacted Soil and Groundwater, Interim Final, December 2001." Cal/EPA anticipates receiving peer review comments by the end of the calendar year. The results of the peer review will guide subsequent development of Cal/EPA screening values.
 - Pilot study. Cal/EPA will continue to accept applications for participants in the pilot study in the Los Angeles, Santa Ana, and San Diego Regions.
 - Cleanup programs. Cal/EPA, with DTSC and SWRCB, will develop an informational document that compares the DTSC cleanup program with the cleanup program administered by the RWQCBs. This document will help community groups, local residents, and others to better understand the different regulatory processes that govern cleanups in California.
3. **Site Cleanup Improvements:** Cal/EPA will work with DTSC, SWRCB, and the regional boards to develop and implement recommendations for enhancements of the site cleanup processes in the state and ensure efficient and effective cross-program and cross-media coordination of those processes.
4. **Brownfields Working Group:** Based on the comments and issues shared at the initial meeting, Cal/EPA will schedule additional meetings and organize the working group to further evaluate issues, provide recommendations, and identify additional California brownfields incentives.
5. **Coordination Efforts:** Cal/EPA will organize additional coordination forums to facilitate the sharing of information and to allow for increased coordination of efforts. The additional forums may be intra-agency (all brownfields-related programs within Cal/EPA), interagency (all brownfields-related programs within State), and intergovernmental (brownfields-related programs at the local, State and federal levels).

Border Environmental Affairs

The border affairs unit of Cal/EPA directs the border environmental program in the California-Baja California, Mexico border region. The vision of the program is to promote a standard of excellence for international cooperation and collaboration that focuses on resolving environmental and natural resource issues to help ensure a cleaner, safer, healthier, and more prosperous border region. To that end, Cal/EPA and its boards, departments, and offices have been working to address cross-media and bi-national issues. In the past six months the Cal/EPA border affairs unit achieved the following:

Accomplishments

1. **Transfer of Surplus Computers Pursuant to the California-Mexico Environmental Protection Act of 2000 (AB 2317, Ducheny, Chapter 742, Statutes of 2000):** Cal/EPA located approximately 60 personal computers and related accessories that were being declared surplus by California State agencies and could be used for scientific purposes in the Baja California border region. These computers were transferred to the City of Tijuana Department of Ecology, the Baja California Secretariat for Ecology, and the Mexican Federal Attorney's Office for the Protection of the Environment (PROFEPA). They are now being used to monitor and track environmental compliance and issues related to water, soil, and air contamination.
2. **Signing of Environmental Education Agreement:** Cal/EPA led the development of an environmental education agreement that was signed between Cal/EPA, the Mexican Federal Secretariat of the Environment and Natural Resources (SEMARNAT) and Secretariat of Education (SEP); California Secretary for Education, the Baja California Secretariat for Ecology and State Education System, and the CIWMB. The purpose of the agreement is to engage in a cooperative effort to share resources and information and to develop a bi-national environmental education curriculum that will be taught to elementary students in the border region. It is anticipated that this agreement will result in a program that will be the predecessor of similar programs to be developed in other areas of Mexico.
3. **Implementation of the Pretreatment and Wastewater Monitoring Agreement Program:** Cal/EPA is currently implementing the agreement that was signed by the State of California and government entities of Mexico in March 2001. The first phase of the project, the development of a report entitled "California/Baja California Industrial Wastewater Monitoring, Pretreatment, and Minimization Program: Needs Assessment" was completed during the first half of 2002. The report identifies a strategy for coordinating the participation of U.S. and Mexican municipal, state, and federal government organizations for the development of a wastewater monitoring, pretreatment, and technical assistance program; a survey of industrial dischargers, pollutants discharged, and receiving waters in the Mexicali, Tecate, and Tijuana municipalities of Baja California; industrial wastewater worker needs and opportunities; and resources needed to monitor and analyze industrial wastewater.

4. **Environmental Technology and Service Opportunities Conference:** Cal/EPA sponsored a forum and trade exhibit to introduce environmental technology vendors to the opportunities available for their products in Baja California. The Tijuana conference enabled participants to discuss the need for environmental technologies and the regulatory environment in northern Mexico. Participants also viewed products and participated in a tour of sites between Tijuana and Mexicali.
5. **Agreement of Cooperation Between the States of Baja California and California to Carry Out a Pilot-Scale Vehicle Emissions Inspection Program for the City of Tijuana:** Approximately 60 percent of the milestones for this program were completed between January and June. These milestones include the negotiation and development of an implementation strategy and timetable with the City of Tijuana and the collection of surplus vehicle emission monitoring equipment that could be donated or loaned and installed at City of Tijuana car shops. The translation from English to Spanish of training manuals relating to the program was completed, and technicians from Tijuana have been trained on the proper operation and maintenance of the vehicle emission monitoring equipment.
6. **Assistance to Tijuana for the Siting of Municipal Wastewater Treatment Plants and a Replacement Landfill:** Cal/EPA has coordinated the technical assistance to the City of Tijuana necessary to properly site new wastewater treatment plants and to replace its aging landfill.

Priorities:

1. **Ten States Retreat:** Cal/EPA is providing coordinating support to the State of Chihuahua for the annual Ten States Retreat to be held in September or October. Representatives responsible for environmental quality and environmental protection for the States of Arizona, Baja California, California, Chihuahua, Coahuilla, New Mexico, Nuevo Leon, Sonora, Tamaulipas, and Texas will attend this meeting along with PROFEPA Secretary Victor Lichtinger and U.S. EPA Administrator Christine Todd Whitman.
2. **Clandestine Drug Laboratory Cleanup Memorandum of Understanding:** Illegal clandestine drug laboratories have become widespread in northern Baja California. The increased number of illegal laboratories is believed to be a result of increased surveillance and enforcement by the California Department of Justice, Bureau of Narcotics Enforcement, and their related task forces. In order to provide needed training, Cal/EPA is spearheading an effort to sign a memorandum of understanding between California and Mexican agencies that will provide for the sharing of information and technical assistance.
3. **Implementation of the Pretreatment and Wastewater Monitoring Agreement Program:** Implementation of this agreement is being phased in and is expected to be complete by July 1, 2003. During the remainder of 2002, a program to sample for and analyze specified chemicals in industrial wastewater will commence at four sites in Ensenada and at three sites in Mexicali. The results obtained from this sampling will be compared to other results available for the designated sampling areas to develop a composite profile of the hazards

- present in the industrial wastewater. Regulators from Mexico will accompany the samplers during the sampling events to receive training on standardized sampling techniques.
4. **Agreement of Cooperation Between the states of Baja California and California to Carry Out a Pilot-Scale Vehicle Emissions Inspection Program for the City of Tijuana:** It is anticipated that the emissions monitoring equipment will be installed and operational before the end of 2002.
 5. **Implementation of Advisory Groups:** The second half of 2002 will see the first meetings of two advisory groups from Cal/EPA boards, departments, and offices. The groups will set policy and priorities and monitor tasks of the border environmental programs within each BDO.
 6. **Joint California-Baja California Strategic Vision:** A strategic vision that will coordinate the environmental programs of California/Baja California's State and local agencies in the border region will be completed.
 7. **Environmental Management Systems (EMS):** Cal/EPA is managing a grant from the U.S. EPA to implement an EMS at three to four small-to-medium-sized businesses in the border region. The purpose of this program is to determine if EMS can be used as a tool to prevent the spread of contamination across the border. During the remainder of 2002, data will be gathered to identify contamination and businesses that will be the focus of the program.
 8. **Next Phase of the US-Mexico Bi-national Border Environmental Plan (formerly known as Border XXI):** Cal/EPA will actively participate in developing the next phase of the bi-national border environmental plan, along with the nine other U.S.-Mexico border states. It is anticipated the plan will be finalized by August and a work plan will be implemented in fall of 2002.

Children's Environmental Health Center (CEHC)

The CEHC coordinates—within Cal/EPA and with other State and federal agencies—on activities related to environmental impacts on children's health. Children are particularly sensitive to many environmental pollutants, and California is a leader in analyzing and responding to the challenge of protecting and improving their environmental health.

Accomplishments

1. **Children's Environmental Health Awareness Day:** On April 22 the CEHC hosted Cal/EPA's first Children's Environmental Health Awareness Day at Cal/EPA Headquarters in Sacramento. Twenty speakers delivered talks on children's environmental health issues and more than thirty posters, information booths, and displays were available for viewing and providing opportunities to interact with presenters.
2. **Outreach and Communication:** To assist in public outreach and communications, CEHC developed a page on the Cal/EPA Web site (www.calepa.ca.gov/ChildHealth/) where the first

biennial report to the Governor and Legislature can be viewed or downloaded. The CEHC is continuing to develop its strategic plan that will be posted on the Internet when finalized.

3. **Emergency Response:** CEHC is pursuing development of a plan to provide health information specific to children as part of emergency response to chemical or biological releases to the environment. Completion of this project is contingent on outside funding.
4. **Childhood Asthma:** CEHC participates on the steering committee of the Environmental Council of the States (ECOS) and the Association of State and Territorial Health Officers (ASTHO) charged with developing an asthma action agenda. The agenda will define what State health and environmental departments will need to do to reduce environmental triggers of asthma in children. The first of five workshops was held in May.

Priorities

1. **Outreach and Communications:** Complete development of the CEHC strategic plan; upgrade the CEHC Web site.
2. **Childhood Asthma:** Continue participation on the ECOS/ASTHO Asthma Action Agenda steering committee, attend workshops, and host one workshop in Sacramento. With input from DHS, develop an asthma action agenda for use by State health and environmental agencies to seek federal and private funding for better childhood asthma tracking and intervention. Evaluate participating in an ECOS/ASTHO-funded pilot project to reduce the triggers of childhood asthma.
3. **Coordination—Priority and Emerging Issues:** In collaboration with OEHHA and the Department of Health Services, develop plans for a workshop to discuss, identify, and prioritize issues related to children's environmental health in California. (Workshop to be scheduled for early 2003.)
4. **Coordination—Children's Environmental Health Emergency Response and Information Network:** Establish an intra- and interagency list of experts, including contact information, for use by the CEHC and others in the event of an emergency or to respond to questions related to ongoing children's environmental health issues.

Military Base Remediation and Reuse

This program, housed in the office of the Assistant Secretary for Military Base Remediation and Re-Use, oversees agencywide efforts to effectively and efficiently move closed military facilities back into productive state economic and environmental assets. Through careful coordination between the Office of the Secretary, the affected Cal/EPA boards, departments, and offices, local reuse planners, and civic leaders, this office has been able to increase the efficiency and effectiveness of these transfer and cleanup efforts.

In addition to simplifying and accelerating the transfer process, this office also assists with the development of policies and procedures for the retention of current active military assets within California and operates as an outreach and clearinghouse for business interests on closed military

facilities. In this respect, the office provides guidance and counsel to communities and interested parties, including developers, business and trade associations, and individuals regarding possible redevelopment efforts that can be quickly achieved while maintaining high environmental standards.

Accomplishments

1. Outreach Program:

- The Secretary hosted a panel of experts from the ARB and SWRCB before an audience of more than 250 international and domestic energy producers and providers to discuss environmental safeguards and levels of compliance for newly emerging power plants developed during the last year. Numerous contacts were made to enable Cal/EPA to ensure developer efforts were initially cognizant of the prevailing environmental regulatory safeguards, thereby enabling these power plant developments to move without interruption toward completion.
- Cal/EPA met with several outside groups consisting of trade associations, public interest groups, and business partnerships to discuss the impacts of current legislative changes on the environmental regulatory framework. The meetings also included discussion of future developments in the environmental regulatory arena. Participants included the California State Chamber of Commerce, California Manufacturers and Technology Association, California League of Cities, Association of California City Managers, and others.

2. Fees for Environmental Services: Cal/EPA prepared and submitted a proposal to the Department of Defense (DoD) via the Governor's office to request that DoD pay fees for environmental services mandated under State law when a modification is made to an existing military facility. Cal/EPA also prepared documents and talking points for the National Governors Association and the Western Governors' Association on this issue, as well as talking points for the Governor's Washington D.C. staff meeting with the California Congressional delegation.

3. Early Transfers: Cal/EPA, along with DTSC, ARB, and SWRCB, made significant efforts to advance the timely and effective transition of closed military facilities over the past six months. Significant accomplishments were achieved at several sites:

- East Fort Baker (Sausalito, Marin County). Approved the transfer of 93 acres to the National Park Service for local recreational reuse and conferences.
- Ft. Ord (Monterey County). Completed the early transfer of 767 acres to various State and local entities in April. Much of the land will be converted to housing, including affordable housing segments.
- Marine Corps Air Station (Tustin, Orange County). Concurred in the transfer of portions of 11 parcels to be leased for commercial and business uses.

4. **Analysis of Environmental Issues:** Submitted several analyses of proposed power plant sitings to the California Energy Commission and the Consumer Power and Conservation Financing Authority, enabling those proposals to go forward expeditiously.

Priorities

1. **Outreach Program:** Continue to expand the effort by the Office of the Secretary to meet with business associations, trade groups, and interested parties to explain the future of the State's environmental regulatory framework in order to enable them to more efficiently comply with the State's regulatory requirements. Cal/EPA will continue its efforts with:
 - California State Chamber of Commerce.
 - California Manufacturers and Technology Association.
 - California Association of Realtors.
 - California Bankers Association—northern and southern chapters.
 - California Aerospace Technology Association.
 - California League of Cities.

The Secretary is committed to cooperative efforts with other State agencies to advance objectives of mutual interest. Within the next six months these will include:

- California Technology, Trade, and Commerce Agency. Cal/EPA is working together with the agency on a statewide summit to be held in August entitled "Partnerships for Preparedness." The summit will discuss joint efforts of State and business leaders to ensure California remains a significant home to armed forces and related defense industry efforts, consistent with California's environmental regulatory framework. This effort will also include extensive joint efforts to address encroachment in all its permutations as it affects ongoing military operations.
- Resources Agency. Cal/EPA is expanding on an already close relationship working with the Resources Agency to aggressively address encroachment and the creation of buffer zones. These buffers will help reduce the effects of encroachment around existing military sites, enabling them to maintain current levels of operational training. Cal/EPA is also working closely with the Resources Agency to ensure that transfer to State ownership of a former military site (Hamilton Army Airfield) is completed without liability to the State for cleanup.
- Business Transportation and Housing Agency (BT&H). Cal/EPA has proposed a joint effort between BT&H, Cal/EPA, and the California Department of Veterans Affairs to examine the creation of housing units for veterans and dependents. The effort also includes housing for other qualifying families in areas that would revitalize former brownfields, preferably near transportation centers and providers of medical and other

necessary services. Cal/EPA intends to develop a proposal within the next six months for consideration by the other State agencies.

2. **Early Transfers:** Continue to work to accelerate and simplify the transfer process, returning these closed military sites to productive economic uses for local governments. Efforts will continue at the following bases:
 - Hamilton Army Airfield (Marin County). Transfer of 600 acres to the State Coastal Conservancy for creation of wetlands.
 - Mare Island Naval Shipyard (Solano County). Transfer of 2,800 acres to City of Vallejo for recreation and wildlife area development.
 - Oakland Army Base (Alameda County). Transfer of 380 acres to the City and Port of Oakland to redevelop for industrial, educational, commercial, and other uses.
 - Long Beach Naval Complex (Long Beach, Los Angeles County). Transfer of 90 acres to the Port of Long Beach to expand its container terminal.
 - Hunters Point Shipyard (San Francisco County). Transfer of 86 acres to City of San Francisco for reuse in August.
 - Naval Communications Station (Stockton, San Joaquin County). 1,400 acres to the Port of Stockton for general economic redevelopment.
 - Other facilities: Efforts underway at Treasure Island, El Toro Marine Air Base, Oak Knoll Naval Hospital, Marine Corps Recruit Depot, San Diego, and elsewhere.
3. **Analyses of Environmental Issues:** The Office of the Secretary will continue to aggressively participate in the development of enhanced regulatory procedures which will enable otherwise vacant properties in need of cleanup to be returned to viable economic use with sufficient environmental safeguards in place. Toward that end, Cal/EPA will continue to work to advance the use of land use covenants and other deed restrictions in conjunction with partnerships to complete cleanups between local gaining communities and developers. The Assistant Secretary for Military Base Remediation and Re-Use will continue to represent the Agency's interest in developing positions consistent with the Governor's objectives. These objectives include creating an environmentally safe, but economically viable, land use policy that results in the decision by the DoD to remain in California.

Enforcement

Consistent and fair enforcement is required to achieve Cal/EPA's Strategic Vision of air that is healthy to breathe; rivers, lakes, estuaries and marine waters that are fishable and swimmable; groundwater that is safe for drinking and other beneficial uses; and communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents. Enforcement is a key component in order to reduce or eliminate the disproportionate impacts of pollution on low income and minority populations, to

ensure a level playing field for regulated businesses and to provide a consistent level of community protection. The following is a brief description of Cal/EPA's enforcement efforts and goals.

To achieve Cal/EPA's strategic goals of an efficient and effective Cal/EPA in pursuit of its mission and its management priority of establishing cross-media strategies and coordination, the agency provides training on cross-media enforcement issues and coordination of cross-media investigations and enforcement actions.

Accomplishments

1. **Case Referrals:** The legal unit in the Office of the Secretary continues to refer and collaborate on enforcement cases pursuant to the authority granted by Government Code section 12812.2. The first case referred pursuant to the authority, an investigation into violations of underground storage tanks, was settled by the Attorney General's office (*People v. Atlantic Richfield Company [ARCO]*, San Francisco Superior Court No. CGC-02-409327). The terms of the judgment require that ARCO pay the State \$25 million in fines and costs and perform \$20.8 million in additional improvements at its stations. This case represents many firsts: the first major case brought by Cal/EPA pursuant to the cross-media enforcement authority in Government Code section 12812.2; the first case investigated by the State Water Board Underground Tank Enforcement Unit (created in 2000); the first major statewide underground enforcement case ever brought in California; and by many measures, the biggest underground tank enforcement case ever brought in the nation.
2. **Cross-Media Training:** Cal/EPA successfully delivered the first two 2002 sessions of the Cal/EPA Basic Inspector Academy in Sacramento and Perris. A total of 67 students participated in this training. Perris was chosen as a location to serve the training needs in Southern California. The Cal/EPA academy covers many basic investigation/inspection subjects, including cross-media issues. The class is available to State, tribal, and local field inspectors in environmental programs. These include inspection staff from within Cal/EPA and local agencies, including air districts, enforcement agencies, certified unified program agencies (CUPA), regional water quality control boards, and county agricultural commissioners. To date, a total of 149 students have attended the academy since it began in February 2001.

Cal/EPA held the Ninth Annual Environmental Cross-Media Enforcement Symposium in Coronado, California. The symposium provided training in inspection, identification of violations, and administrative, civil, and criminal processes to 271 enforcement officials. Cross-media enforcement topics were addressed through a combination of video presentations, panels, group discussions, lectures, and mock legal proceedings. Qualified attendees were eligible to receive continuing education units (CEU), mandatory continuing legal education (MCLE) credits, and peace officer standards and training (POST) credits. Portions of the training material were provided on a compact disc to reduce the use of paper and reproduction costs.

An inspector training clearinghouse was created and published on Cal/EPA's Web site (www.calepa.ca.gov/Enforcement/Training/Clearinghouse.htm.) The clearinghouse is designed to facilitate consistent and effective enforcement across environmental disciplines, encourage cross training, and help agencies share limited training resources. The site contains links to courses in air, water, hazardous waste, hazardous material, solid waste, and pesticide regulation.

Cal/EPA hosted a seminar on underground storage tank (UST) regulation for prosecutors and regulators in Southern California. The purpose was to bring together those who inspect and investigate violations with those who ultimately bring civil and criminal cases so that both can understand their roles and needs. Cal/EPA also hosts "Prosecutor Roundtables" on a quarterly basis in Southern and Northern California to give environmental prosecutors at the State, federal, and local level an opportunity to discuss ongoing cases and legal issues and to get needed information from regulatory programs. The UST seminar was a result of a request from the Southern California Roundtable for additional training on that issue.

3. **Cross-Media Investigations:** Several pending cross-media enforcement cases have been identified and investigations are underway using cross-media enforcement tools. The ARCO case discussed above utilized State and local air and water inspectors and was the first Cal/EPA-led cross-media investigation.

Cal/EPA led and coordinated an investigation by the ARB, DTSC, and local Unified Program Agencies of uncontrolled releases of hazardous jewelry manufacturing wastes from the jewelry businesses in downtown Los Angeles. This area is known as the "Jewelry Mart." The case involves 30–40 buildings and hundreds of small-to-large businesses. This case utilized many tools for achieving compliance, including traditional enforcement, compliance assistance, and outreach. An enforcement case related to specific individuals was referred by Cal/EPA, ARB, and DTSC to the Attorney General's office.

Cal/EPA worked with State and local officials and industry in a coordinated outreach effort to inform the Jewelry Mart businesses of the regulatory requirements and compliance assistance information. In early 2002, an outreach and education seminar was put on for the Jewelry Mart by a joint effort of the local business community, the City of Los Angeles, and State and local environmental regulatory agencies. This was followed by communication with the building owners in the district and by inspections of the buildings.

These outreach and education efforts seek to give the owners and tenants information they need to come into voluntary compliance and reduce the hazardous materials used in their businesses. Those who do not take advantage of these efforts and remain in violation will be subject to enforcement actions.

4. **Enforcement Information Access and Data Integration:** Cal/EPA now publishes its own Enforcement Web page at <http://calepa.ca.gov/Enforcement>. This site provides enforcement resources, data, and laws and regulations for Cal/EPA's boards, departments, and offices. The site also includes links to federal, regional, and local enforcement agencies.

Cal/EPA received a U.S. EPA Network Readiness Grant. Through the Integrated Data Environmental Assessment (IDEA) project, this grant will provide a mechanism to integrate enforcement data among the Cal/EPA boards and departments. Cal/EPA participated in the steering committee to coordinate this effort among its BDOs.

5. **Enforcement Progress Report:** Cal/EPA prepared an enforcement progress report that provides information on environmental enforcement in California from 1999–2001. This new report described the progress achieved—and the many contributions made—by each Cal/EPA board, department, and office, and by regional and local enforcement agencies. View the report at www.calepa.ca.gov/Enforcement/documents/ProgReport.pdf.

6. **Enforcement Special Projects:**

- American Bar Association. The Deputy Secretary for Law Enforcement and Counsel represented Cal/EPA as the keynote speaker for 31st Annual Conference on Environmental Law in Keystone, Colorado, in March. The American Bar Association’s environment, energy, and resources section hosted the conference. The theme of the plenary session was “The Challenge: Cheap Power and Clean Air.” Speaking topics included the energy shortage, Governor’s executive orders, power plant construction, the summer of 2001, air quality/California growth, and a California perspective on new source review. The Deputy Secretary also spoke at the session about recent developments at Cal/EPA, including environmental justice and enforcement.
- Environmental Justice. By participating in the development and delivery of training courses for Cal/EPA management and employees, Cal/EPA staff continues to provide legal support for the environmental justice program. Training topics cover the legal framework within which decisions are made and actions taken by Cal/EPA and its entities. More than 500 State and local employees have completed the training to date; courses are offered on a bimonthly basis.

Cal/EPA staff provided legal advice and assistance to the environmental justice program at the historic first joint meeting of the interagency working group on environmental justice and the external advisory committee on environmental justice. The meeting spanned two days and was held in Los Angeles. Its purpose was to begin developing a strategy for achieving environmental justice for all California citizens.

- Desert Managers Group (DMG). California’s southern deserts are vast, fragile lands within a day’s drive of 40 million people. Approximately 80 percent of the desert is publicly owned and includes 3 national parks, 6 military bases, 72 wilderness areas, and 15 State parks. The DMG was established as the forum for government agencies with management and regulatory jurisdictions in the southern desert area. The law enforcement and hazardous materials interagency working group serves as technical advisors to the DMG; a Cal/EPA legal unit staff member has been selected to co-chair this work group. This work group sponsors an annual “Dumps of the Desert” tour in the California Mojave Desert conservation area. This tour includes a variety of open and

closed landfills and continuing active dump sites to get a perspective of the scale of illegal disposal problems in California's desert communities. Some closed sites represented the cleanup of hundreds of tons of illegal solid waste, and other sites were in initial cleanup stages. Many sites are being cleaned up under the Solid Waste Disposal and Codisposal Site Cleanup Program (Public Resources Code section 48020).

6. **Border:** Cal/EPA legal unit staff co-chairs the Border Environmental Enforcement Task Force, a group of U.S. federal, State, and local officials who meet quarterly in the California-Mexico border area to discuss border-related environmental enforcement issues. Enforcement issues discussed include the illegal dumping of tires and solid waste, air and water pollution issues, disposal of hazardous waste, and the international transportation of hazardous waste and endangered species. Cal/EPA cosponsored a border states and U.S. EPA conference on environmental enforcement and compliance issues. Environmental enforcement officials from California, Texas, Arizona, and New Mexico met to discuss enforcement issues on the U.S.-Mexican border.

Cal/EPA legal unit staff also co-chairs the binational enforcement work group meeting of enforcement officials from the U.S. and Mexico that focuses on binational enforcement issues. As a result of the work of this group, environmental officials from the State of Baja California, Mexico attended training in the U.S. on advance environmental investigation techniques at the federal training facilities in Glencoe, Georgia.

The Cal/EPA Deputy Secretary for Law Enforcement and Counsel was named the U.S. state representative to the North American Enforcement Working Group of the Commission for Environmental Cooperation, an international organization created by Canada, Mexico, and the United States under the North American Agreement on Environmental Cooperation. This organization was established to address regional environmental concerns, help prevent potential trade and environmental conflicts, and to promote the effective enforcement of environmental law. The agreement complements the environmental provisions of the North American Free Trade Agreement (NAFTA).

For information on Certified Unified Program Agency enforcement, see the separate report under CUPA programs.

Priorities

1. Cross-Media Enforcement Training:

- Provide Cal/EPA Basic Inspector Academy training in El Monte and Sacramento, California, to an additional 60 Cal/EPA inspectors.
- Continue to solicit the attendance and participation of our Mexican counterparts and tribal EPA members in training opportunities.
- Coordinate environmental criminal and civil investigation training at the U.C. Riverside Cooperative Extension Service to provide exposure to the most modern techniques in criminal and civil investigation applied in an environmental context.

- Assist in the coordination for future training in specific areas.
- 2. **Cross-Media Investigations:** Cal/EPA will continue to make enforcement case referrals to U.S. Attorneys, the California Attorney General, and local district attorneys pursuant to the authority granted by Government Code section 12812.2.

Cal/EPA legal unit staff will continue to encourage and enhance cross-media enforcement throughout Cal/EPA and its boards, departments, and offices by facilitating and assisting in the development of cross-media activities. Cal/EPA will maintain its progress in providing and expanding support and assistance to environmental task forces throughout California to encourage consistency, coordination, and efficiency in enforcement efforts. These efforts will increase knowledge sharing between local enforcement agencies, the federal government, and Cal/EPA.

- 3. **Enforcement Support:** Cal/EPA will continue to provide legal and administrative support to the CUPA enforcement programs, the California-Baja California border affairs unit, the children's environmental health center, and environmental management and sustainability programs.

Cal/EPA will also continue to provide legal support to the environmental justice program and advisory council as it develops a strategy and begins implementation of the environmental justice program statewide.

Cal/EPA will continue to co-chair the Desert Managers Group, whose priorities are illegal dumping and abating abandoned mine site hazards. New initiatives will include inventorying the illegal dumpsites in a database and developing a public service announcement (PSA) for radio and TV that all communities in the desert can use. The PSA will be developed in conjunction with brochures on illegal dumping. Cal/EPA will also assist the Native American tribal communities in developing strategies to combat and abate illegal disposals of hazardous waste in their communities.

- 4. **Enforcement Information Access and Data Integration:** Cal/EPA legal unit staff will work with its consultants to continue making progress as outlined in the IDEA project readiness grant proposals. Staff will assist in planning to integrate enforcement data information among Cal/EPA's boards, departments, offices, and external agencies. A major priority will be to advance an enforcement data project with the intent to provide "one-stop" access to enforcement data from local, State, and federal agencies within Sacramento County.

The Cal/EPA legal unit will work on improving and expanding the resources posted on its new Enforcement Web site.

Unified Program

Established in 1994, the Unified Program combines the implementation and administration of six previously distinct hazardous substances regulatory programs into a single program under the direction of a single local governmental entity called a Certified Unified Program Agency

(CUPA). The intent of the program is to improve public health and environmental protection by improving coordination and consistency in the implementation of the six unified programs through consolidation. The six program elements included in the program are: the underground storage tank program, above ground tank program, hazardous waste generator and tiered permitting programs, hazardous materials business plan program, accidental release of hazardous substances program, and hazardous materials elements of the Fire Code. Collectively, the Unified Program regulates 120,000 businesses within California.

Cal/EPA's Unified Program section in part fulfills Cal/EPA's Strategic Vision goals to ensure that communities are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents, and ensures an effective and efficient Cal/EPA in pursuit of its mission. These goals also seek to reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

Accomplishments

1. **Certification of Jurisdictions without CUPAs:** Cal/EPA certified the following 10 counties to implement the Unified Program beginning in June: Calaveras, Colusa, Glenn, Inyo, Lassen, Mariposa, Modoc, Plumas, Sierra, and Tehama. Four remaining jurisdictions have not been certified to implement the program. Of those, Butte is still in the certification process. Imperial County is in the process of preparing and submitting an application. Cal/EPA's goals 4 and 8 reflect the above accomplishments made by the Unified Program section.
2. **Unified Program Information Management:** The feasibility study report (FSR) developed previously to establish a statewide Internet-based GIS reporting system for business-to-CUPA, CUPA-to-State, and State-to-federal reporting was revised and submitted to the appropriate State offices. The program has also continued efforts to improve the data dictionary in Title 27, California Code of Regulations (CCR) that is the basis for all Unified Program reporting and an essential part of the proposed system. The first meeting of the Unified Program administration and advisory group data committee was held. The committee, with representatives from the CUPA forum board, State agencies with Unified Program responsibilities, and U.S. EPA, established the scope of work for this committee and proposed timeframes to complete that work. Subsequent meetings are scheduled to develop needed improvements that will be codified through the rulemaking process.
3. **Enforcement Consistency:** Following last year's development of a concept paper that described Unified Program enforcement inconsistencies and recommended changes, and the receipt of comments in two public workshops, the Unified Program administration and advisory group enforcement committee members developed specific proposed statutory language to enact the recommendations. This proposal would establish a single consistent Unified Program administrative enforcement authority that would enhance Unified Program consistency, provide a viable enforcement option for all key program elements, facilitate multimedia enforcement actions, and help maintain the lowest possible CUPA program

implementation costs. The proposal is now a section of AB 2481 (Fromer) that is currently undergoing legislative consideration.

4. **CUPA Evaluations:** Cal/EPA facilitated the evaluation of 17 CUPAs during the first half of 2002. One evaluation has been rescheduled to August at the request of the CUPA. Cal/EPA issued 21 draft evaluation reports and 4 final reports. From a backlog of 66 uncompleted evaluation reports that existed in July 2001 when Unified Program administration responsibilities were transferred to a new section within the Office of the Secretary, Cal/EPA has issued 50 final evaluation reports. A new tracking database has been developed and implemented for the current CUPA evaluations (second round), which began July 2001. Staff updates the data on an ongoing basis, and a weekly status report is provided to State agency management to ensure timelines are being met. An evaluation work plan has been developed and coordinated with the CUPA Forum Board and other State agencies with Unified Program responsibilities. The work plan addresses the assessment and specific improvements to the evaluation process, reporting, tracking and follow-up, and guidance materials. During the first six months of 2002, three new members of the Unified Program section staff were trained as evaluation team leaders to facilitate CUPA evaluations.
5. **Outreach:** Senior staff represented the Cal/EPA Unified Program section at all the Northern, Central, and Southern California CUPA Forum regional meetings held during the second half of FY 2001–02. At each of these meetings staff discussed the latest legislative and regulatory activities, policy decisions, program accomplishments, and project status. Staff obtained feedback related to pending projects or areas of concern related to the implementation and enforcement of the Unified Program.
6. **Communication:** The Unified Program section has completely redesigned the Web site (www.calepa.ca.gov/CUPA/) to better meet the needs of the users. The Web site is updated in a timely manner and is the collective resource for information on program updates, contacts, legislation, and technical assistance for the Unified Program. Cal/EPA has encouraged stakeholders to visit the Web site regularly by including links to the Web site in the monthly electronic mail-out.
7. **Rural CUPA Reimbursement Account:** This fund was legislatively established to provide financial assistance to those non-CUPA counties whose total number of regulated businesses was insufficient to support the Unified Program through fees alone. Of the 15 non-CUPA jurisdictions at the time this fund was established, 14 met the eligibility standards based on county population. In addition to population criteria, eligible jurisdictions must become certified to implement the program, enact a fee system to support their portion of program costs, and submit the application. Ten jurisdictions met the requirements, and checks were mailed to all ten providing reimbursement in accordance with the statutory formula.

Priorities

1. **Certification of Jurisdictions without CUPAs:** Following the success of the last two years, only four jurisdictions are currently lacking a Certified Unified Program Agency. These four

jurisdictions include Butte County, which is near completion of the process and is expected to be certified early in the summer of 2002; and Imperial County, which is currently nearing completion of its application for certification and is also expected to be certified in the next year. Cal/EPA is continuing discussions with Sutter and Trinity Counties and is preparing an issue paper to identify viable alternatives for program implementation if these jurisdictions chose not to implement the program. To assist the new CUPA jurisdictions that were recently certified, Cal/EPA and the State agencies with Unified Program responsibilities will provide technical assistance and review the status of program implementation in visits to each new CUPA approximately four to six months after certification. Cal/EPA will also provide training specific to these new, smaller, and more rural CUPAs at the annual Unified Program conference in February 2003.

2. **Unified Program Information Management:** During the next six months, additional FSR revisions will be completed and resubmitted to enable Department of Finance approval of the proposal. Following approval, Cal/EPA will continue attempts to identify funding to begin contractor development of the system. In addition, the Unified Program Administrative and Advisory Group (UPAAG) data committee will develop the specific recommendations necessary to update the data dictionary, revise reporting forms, and begin the rulemaking process to establish these improvements in CCR, Title 27.
3. **Enforcement Consistency:** During the second half of 2002, the UPAAG enforcement committee will develop the necessary guidance, forms, training, and support to enable all CUPAs to quickly and easily implement the new Unified Program administrative enforcement authority that is anticipated to be effective January 1, 2003.
4. **CUPA Evaluations:** The Unified Program section will conduct 10 CUPA evaluations during the first half of FY 2002–03, issue evaluation reports on time, and finalize the remaining 16 evaluation reports. The section will initiate work efforts on high-priority evaluation improvements as identified in coordination with all stakeholders, and will improve and streamline the evaluation process and reporting components of the triennial CUPA evaluations.
5. **Outreach:** The Unified Program section will continue to attend and actively participate in all regional CUPA Forum meetings and will develop and distribute the first annual “State of the Unified Program” report to all stakeholders by December 1.
6. **Analysis of the State Surcharge:** Cal/EPA is conducting a comprehensive review of the State surcharge. This will include a historical review of the State surcharge that has been billed, collected, and remitted, as well as consideration of expanding the surcharge tracking system. Cal/EPA is updating forms and instructions used by CUPAs to report surcharge information. The analysis is equitably applied to all regulated entities to keep the fee as low as possible while ensuring adequate funding for all State-related Unified Program activities.
7. **Communication:** The Unified Program section will continue to work with information management staff to develop a new directory of Unified Program stakeholders. Goals for the

project include: a comprehensive updated directory of contact information for all Unified Program agencies, a free subscription service for the monthly mail out, e-mail groups for different committees and stakeholders, a search function by geographic region, and program elements of responsibility for all participating agencies.

Quality Programs

Cal/EPA's Quality Improvement Partnership focuses on continuous organizational improvement and performance excellence. Cal/EPA's Assistant Secretary for Quality Programs—along with quality consultants from its boards, departments, and offices—provides internal management consultation on organizational effectiveness. The areas covered include strategic planning, process improvement, performance interventions, facilitation, resource development, and improvement in service delivery.

Continuous organizational improvement and performance tie directly to Cal/EPA's Strategic Vision, goal 8: An efficient and effective Cal/EPA in pursuit of its mission. The work supports Cal/EPA's objectives to 1) lead by example, 2) expand and improve cross-media communications, collaboration, and training, and 3) conduct continuous evaluations of program effectiveness.

Accomplishments

1. **Strategic Vision Implementation:** The Strategic Vision implementation team met regularly to discuss tactical implementation plans/work plans and to coordinate activities. All implementation plans were shared among Cal/EPA's boards, departments, and offices and with the Office of the Secretary. Linkage between Cal/EPA's Strategic Vision, strategic plans, and the Environmental Protection Indicators for California (EPIC) were assessed in terms of measures and quantifiable accomplishments.
2. **Cal/EPA Headquarters Building:** Activities continue to be planned to build camaraderie and increase communication and collaboration within the Cal/EPA. Along with the EPANet (the agency's Intranet site), the Office of the Secretary introduced the capability to send all-staff e-mail messages statewide (thus bridging separate e-mail systems.) In addition, an agencywide celebration of Earth Day occurred on April 22. This was the first time in Cal/EPA's history that a cross-organizational team worked collaboratively on planning and hosting Earth Day activities with scientific, educational, and interactive displays, computer learning, and departmental displays.
3. **Open Staff Forums:** In January and February, open staff forums were held in Southern and Northern California (Los Angeles, El Monte, Oakland). These forums were modeled after the successful open staff forum at the Cal/EPA Headquarters Building in November 2001. Agency Secretary Winston H. Hickox and directors/executive officers addressed Cal/EPA staff and responded to questions from the audience. The intent was to open a dialogue between staff and leadership, foster improved understanding of Cal/EPA's goals and actions, and build awareness of issues.

4. **Management Forums:** On April 9, Cal/EPA held its first of three scheduled management forums for approximately 250 Cal/EPA managers and supervisors. The forums provide an opportunity for the entire Cal/EPA management team to meet, listen to speakers, and ask questions on issues pertinent to the implementation of California's programs to protect the environment. Lynn Schenk, Chief of Staff to Governor Davis, and a panel of environmental leaders were featured in the first forum.
5. **The Governor's Environmental and Economic Leadership Awards:** Cal/EPA, in collaboration with the Resources Agency and the Department of Conservation, initiated the 2002 Governor's Environmental and Economic Leadership Awards program. Cal/EPA staff conducted outreach for additional program sponsors and updated promotional materials for statewide distribution. Evaluation review committees were formulated and 2002 award information was posted—ahead of schedule—on the Web sites of the State of California, the Governor, Cal/EPA, and the Resources Agency.
6. **Cross-Organizational Working Groups:** Teams comprised of Cal/EPA staff members and external representatives continued their work through the disability advisory council, the environmental management system steering committee, and the newly formed Integrated Data Environmental Assessment (IDEA) team. The IDEA project draws together representatives from each of the boards, departments, and offices of Cal/EPA and U.S. EPA to address the development of an integrated information management system.

Priorities

1. **Strategic Vision Implementation:** Work will continue to refine the integration of the EPIC with the strategic plan measures of each board, department, and office, and with Cal/EPA's Strategic Vision goals. In addition, a process will be developed for the routine reporting of strategic plan milestones/accomplishments to the Office of the Secretary.
2. **Communication/Collaboration:** Open staff forums will be held in Sacramento in fall 2002, and two management forums will be held in Sacramento before the end of 2002. Working groups/teams will continue their work during the latter half of 2002. The Cal/EPA Headquarters Building will serve as a facility for events that foster improved communication and collaboration within the agency.
3. **The Governor's Environmental and Economic Leadership Awards:** The award nomination, evaluation, and selection processes will occur during the latter half of 2002. Award winners will be recognized at a formal ceremony held in Sacramento on December 4.

**DEPARTMENT OF PESTICIDE
REGULATION**

DEPARTMENT OF PESTICIDE REGULATION

The mission of the Department of Pesticide Regulation is to protect human health and the environment by regulating pesticide sales and use, and by fostering reduced-risk pest management.

Protecting California's Water, Air, Food, and Land

Cal/EPA Goal 1: Air that is healthy to breathe, sustains and improves our ecosystems, and cultural resources.

Cal/EPA Goal 2: Rivers, lakes, estuaries, and marine waters that are fishable, swimmable, support healthy ecosystems and other beneficial uses.

Cal/EPA Goal 3: Groundwater that is safe for drinking and other beneficial uses.

DPR Strategic Plan Goal 1: Assure that the quality of California's water, air, food, and land resources is not adversely affected by pesticides.

Pesticides may adversely impact our environment. Protecting our environment from the use of pesticides is an expected outcome of the pesticide regulatory program. This outcome is driven by sound science and adequate data as part of a process for thorough, timely, and ongoing evaluations.

Accomplishments

1. **Propanil Use Evaluation:** Preliminary restrictions, in the form of recommended permit conditions, were developed and a pilot program was initiated for the 2002 propanil use season on rice. Propanil use has been found to damage adjacent crops. Analysis of previously collected use monitoring data is ongoing. DPR will assess the future direction of the propanil program based on the results of the 2002 use season and develop final recommendations for regulatory changes. The ground and air application permit conditions were issued to the county agricultural commissioners (CAC) in an April letter entitled "Rice Pesticides Program for 2002." A copy is available on DPR's Web site at www.cdpr.ca.gov/docs/enfcmpli/penfltrs/penf2002/2002012.htm
2. **Clopyralid and Compost:** DPR initiated cancellation action on 15 landscape maintenance products containing the herbicide clopyralid for use on residential lawns. This action was intended to reduce or eliminate the occurrence of potentially phytotoxic clopyralid (an herbicide used to control yellow starthistle and other weeds) residues in compost made from residential grass clippings. DPR believed there was no way to control homeowners' decisions to recycle grass clippings where clopyralid products had been used. Products for agricultural uses were not affected by this cancellation action since these uses do not contribute significantly to the compost stream. DPR and the California Integrated Waste Management Board (CIWMB) initiated a series of stakeholders' meetings in May. These meetings were intended to bring together composters, clopyralid users, and others to gain more information

about use of the herbicide. Stakeholders received more information about compost feedstocks and about educational efforts to warn users about potential contamination of compost.

Priorities

1. **Chemigation Initiative:** DPR will continue to educate State and county enforcement staff and pesticide users about label requirements to protect the environment when adding pesticides to irrigation water (chemigation). DPR will review recommendations made by the Chemigation Task Force (comprised of representatives from the agricultural industry); continue training sessions targeting growers, pest control applicators, and irrigation dealers; and develop Web pages describing chemigation safety device requirements.
2. **Surface Water Program:** DPR's environmental monitoring branch will finalize the surface water policy between DPR and the State Water Resources Control Board, and the protocol and report on surface water modeling on correlation of detections with pesticide use and rainfall. DPR will complete the surface water network recommendation, initiate implementation of dormant spray runoff mitigation/outreach, and initiate an urban pesticide runoff prevention strategy.
3. **Clopyralid and Compost:** By January 2003, DPR will complete its cancellation actions on clopyralid products, removing references to use on residential lawns from product labels. DPR and CIWMB will hold four stakeholders meetings and will have an improved understanding of clopyralid uses that may affect compost. DPR and CIWMB will initiate consultation with the U.S. EPA to develop tests to assess the fate of herbicides in the composting environment.
4. **Propanil Regulations:** Propanil is an herbicide used to control weeds (watergrass) in rice fields. For more than 30 years, the rice counties in the northern Sacramento Valley have had limited or no use of this material due to its potential to adversely affect nontarget crops, primarily prunes. DPR began an evaluation on the limited use of this material in 1998 to ensure it could be used without significant damage to nontarget crops. DPR plans to file rulemaking amendments to the propanil regulations to be in place for the start of the 2003 propanil use season.

Protecting Human Health

Cal/EPA Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

DPR Strategic Plan Goal 2: Assure that people, especially workers and sensitive populations, are protected from unacceptable pesticide risks.

The use of pesticides may adversely impact human health. Workers and sensitive populations such as children are at a greater risk. Protecting people from unacceptable pesticide risks is an expected outcome of the pesticide regulatory program. This outcome is driven by sound science and adequate data as part of a process for thorough, timely, and ongoing evaluations.

Accomplishments

1. **School Integrated Pest Management Program:** DPR developed and distributed a pesticide use reporting form for licensed pest control businesses working in schools. In January, DPR published an independent Web site for the school integrated pest management (IPM) program to provide information related to pesticide use and IPM policies, programs, and practices. Recently DPR added environmental and human health information to the Web site. DPR contacted all school districts and identified about 400 IPM coordinators, including those interested in upcoming training. DPR developed an IPM train-the-trainer program and conducted a pilot training session on June 19. In June, DPR completed its first edition of the IPM Model Program Guidebook, available at www.schoolipm.info/.

To promote and facilitate the adoption of IPM, staff made eight presentations to target audiences that included maintenance and operations directors, risk managers, CAC staff, pest control operators, pest control applicators, growers, scientists, policy makers, and teachers. Staff also completed a “frequently asked questions” document and professionally formatted and printed a program overview. DPR contributed a chapter to the Cal/EPA Report to the Legislature on children’s environmental health and staffed a booth at the Cal/EPA annual symposium. The school IPM program conducted a survey of school district IPM policies, programs, and practices, and will finalize a report of the survey results. Staff submitted an article to the *Journal of School Business*, which will be published later this year.

2. **Licensing:** DPR processed 12,515 pest control business and individual renewal applications during the first quarter of 2002. Examinations were also conducted. Staff issued 838 certificates and licenses to new applicants, and 160 licenses to pest control businesses. DPR made some minor changes to the licensing database to improve its efficiency and incorporate new technology. A project was completed to fully document the licensing database. An e-mail address on the licensing Web site was created to provide a new way for staff to interact with DPR stakeholders and clients. DPR is currently seeking U.S. EPA discretionary funds for a project to develop a laws and regulations examination, maintenance gardener pest control examination questions, and a maintenance gardener study guide.
3. **Preventing Pesticide Illness:** On March 8, DPR released the 2000 annual pesticide-related illness and injury report. During 2000, DPR received reports of 1,144 people whose health may have been affected by pesticide exposure. After investigation, DPR scientists found that pesticide exposure had been at least a possible contributing factor in 893 of the cases. The 1,144 total cases investigated in the year 2000 represent a decrease of 485 (30 percent) from 1999, when 1,629 cases were investigated. There was a decrease of 308 (26 percent) pesticide-related cases in 2000 (893 cases) compared to 1999 (1,201 cases). A distinct downward trend over the past decade is apparent for all pesticide categories, all areas of the state, all activities, and both agricultural and other use scenarios.

This trend is limited, however, to occupational exposures, and corresponds to a drop in retrievals of doctors’ reports forwarded to the Department of Industrial Relations by workers’ compensation claims payers. The decrease in doctors’ reports has been partially compensated

by reporting through poison control centers and, for agricultural exposures only, by an increase in the number of cases identified independently of formal notification systems.

4. **Risk Assessments:** DPR completed risk assessments for two chemicals under the requirements of AB 1807 (Chapter 1047, Statutes of 1983)—methyl isothiocyanate and azinphos-methyl. DPR also completed risk assessments for methyl bromide (inhalation route and dietary route) under the requirements of SB 950 (Chapter 669, Statutes of 1984). Several assessments were sent to U.S. EPA and the Office of Environmental Health Hazard Assessment (OEHHA) for peer review: methyl bromide (aggregate inhalation and dietary routes), azinphos-methyl, methyl isothiocyanate, and metam sodium (all under SB 950 requirements).
5. **Registration Process:** DPR's pesticide registration branch completed the review of nine new reduced-risk pesticides in 2002. In addition, the pesticide registration branch has completed review of seven other active ingredients.
6. **Compliance Improvement:** Using the existing overview inspection program, DPR's compliance work group has developed a program to reevaluate industry compliance levels in selected counties previously assessed. The program will determine how the implemented improvements are working, as well as the effect the program changes had on industry compliance levels. The data from this compliance assessment oversight inspection program will be analyzed and compared to the results of the original compliance assessments for each county that is reevaluated. Data from the inspection forms will be entered into the county pesticide compliance and assessment database. This database can be used to set baseline compliance levels for continuous program evaluations by DPR, as well as assist CACs in developing negotiated work plans and setting local program priorities.
7. **Residue Programs Business Process Evaluation:** DPR's enforcement branch has completed an evaluation of the feasibility of integrating some of the produce sampling and data collection activities of the State-mandated Pesticide Residue Surveillance program and the U.S. Department of Agriculture's Pesticide Data program. The business process evaluation has been completed, with recommendations submitted in four areas: adopt electronic clipboard technology, automate and integrate the site selection of programs, enhance the residue database, and move the integrated programs to shared intranet Web pages. An integration pilot project is being prioritized as part of the enforcement branch operational plan for fiscal year 2002–03.
8. **Residue Reduction Project:** In April, DPR provided presentations for a biocontrol and pesticide issues workshop co-hosted by the Departments of Agriculture of both California and Baja California Norte in Ensenada, Mexico. DPR discussed information with Mexican growers about illegal pesticide residues found by DPR on produce grown in Mexico. DPR also provided instruction to the growers about pest control practices to avoid illegal pesticide residues on crops. The goal of this project is to reduce the number of Mexican produce shipments containing illegal pesticide residues.

Priorities

1. **School IPM Program:** DPR staff will revise the school IPM training program based on results from the pilot program, and will then conduct training sessions statewide. DPR will finalize and distribute its report on the survey results. DPR will seek program improvement through key school organizations and other stakeholders via the school IPM advisory group. Staff will make presentations to targeted audiences to promote and facilitate adoption of an IPM program by school districts. DPR plans to write and submit several more articles on IPM topics to appropriate journals for publication.
2. **Risk Assessments:** DPR expects to complete risk assessments for metam sodium, methyl isothiocyanate, azinphos-methyl, and methyl bromide (cumulative exposure assessment under SB 950 requirements). DPR also expects to send several assessments to U.S. EPA and OEHHA for peer review: endosulfan, methyl parathion, hydramethylon, and ortho phenyl phenol.
3. **Pesticide Episode Response Plan Revision:** The Pesticide Episode Response Plan was developed in 1998. The response plan establishes a system for exchanging data between DPR, the San Diego and Imperial CACs, and their counterpart Mexican agencies. The plan provides for coordinated response to pesticide incidents that occur in the border area. DPR expects to receive funds from U.S. EPA that will allow DPR to contract with the San Diego and Imperial CACs to update contact information and to perform mock episode exercises in San Diego and Imperial counties.
4. **Metam-Sodium Permit Guidance:** DPR plans to complete a metam-sodium risk management directive by July. DPR will allow a 30-day comment period, which includes consultation with OEHHA, the Air Resources Board, and CACs. In October, DPR will recommend mitigations that may be implemented as regulations, label amendments, or permit conditions. Strategies to reduce metam-sodium exposure may be similar to those used for methyl bromide. Strategies include buffer zones, application methods, tarps, acreage limits, and incremental irrigation practices, all of which incorporate a balance of enforceability and feasibility. DPR will continue to meet with interested stakeholders.
5. **Exposure Monitoring Studies:** DPR conducts monitoring studies to estimate exposures to workers. From 1997 to 2001, DPR scientists collected foliage samples from various crops to determine the level of pesticide residues at the expiration of a restricted-entry interval. A restricted-entry interval is the time period when a worker is prohibited from entering a treated field to perform cultivation activities. The information collected in this study is used to evaluate pesticides and prepare risk assessments. DPR anticipates releasing its report in November.
6. **Pesticide Illness Surveillance Program Improvements.** DPR maintains a compilation of data on pesticide-related illnesses recorded in California. The data are summarized in tables and the findings are released to the public. DPR is in the process of reviewing and improving the Pesticide Illness Surveillance Program data validation process, thereby ensuring accurate reporting of illness data, and preparing the database for availability to DPR stakeholders on

the Internet. DPR anticipates completing enhancements on data validation procedures by December.

Advancing Pest Management Systems

Cal/EPA Goal 7: Continuous improvement and application of science and technology.

Cal/EPA Goal 8: An efficient and effective Cal/EPA in pursuit of its mission.

DPR Strategic Plan Goal 3: Advance the development and adoption of pest management systems that reduce risks to people and the environment.

Promoting the adoption of reduced-risk pest management strategies is a key element of DPR's mission and its pollution prevention efforts.

Accomplishments

1. **Reduced-Risk Pest Management Program:** DPR awarded 11 pest management grants and 8 pest management alliance grant contracts totaling approximately \$973,000. DPR also awarded three evaluations for approximately \$10,000. In March, DPR held a Pest Management Alliance update workshop where project leaders provided information about the successes of their projects to DPR staff and those who will respond to future requests for proposals. In late 2001, DPR recognized nine IPM innovators.
2. **Pesticide Use Trends:** In October 2001, DPR published the preliminary 2000 Summary of Pesticide Use Reports by Chemical and Commodity. The summary is available on DPR's Web site at www.cdpr.ca.gov/docs/pur/pur00rep/00_pur.htm. As part of the executive summary section of those reports, DPR included an analysis of pesticide use trends for the years 1992–2000 at www.cdpr.ca.gov/docs/pur/pur97rep/pur_anal.htm. Early in 2002, DPR released a report on pesticide use report data quality.

Priorities

1. **Pest Management Grants:** Along with the Pest Management Advisory Committee, DPR will address the recommendations provided by its consultant, the Center for Agricultural Partnerships, as it makes changes to its pest management grants program. DPR will send its request for proposals, receive proposals, and work with the pest management advisory committee to award three or four alliance contracts for fiscal year 2002–03. DPR staff will continue to manage 11 grants and 8 alliance projects.
2. **IPM Innovators:** DPR's IPM innovator awards recognize California organizations that pioneer problem-solving approaches to pest control that use least toxic methods to increase the benefits and reduce the risks of pest management. DPR recognizes select groups for their inspiration and determination in pursuing new systems of pest control and applauds their efforts to share their experiences with others. DPR, through a process of solicitation for nominations, gathering information on candidates, and screening of the candidates by CACs

and Cal/EPA's boards, departments, and offices, will select IPM innovator candidates to receive awards at a ceremony in October.

Ensuring Environmental Justice

Cal/EPA Goal 5: Reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

DPR Strategic Plan Goals 2 and 5: Build good relationships through extensive outreach, communication, and improved responsiveness.

DPR Strategic Plan Goal 6: Improve the delivery of our programs through securing adequate resources, improving business processes, maintaining a strong workforce, and employing e-government solutions.

A strong enforcement program is the cornerstone of improving the pesticide regulatory program and ensuring equal treatment under the law. All of DPR's activities must enhance opportunities for people to have access to and participate in its processes.

Accomplishments

1. **Protection of Farmworkers:** DPR is currently evaluating the notification and hazard communication requirements in Title 3, California Code of Regulations. Growers and farm labor contractors are required to inform their employees of pesticide applications that will occur on or near the work site. Growers and farm labor contractors must also make pesticide exposure information available to their employees. A report will be available by July.
2. **Permit Pilot Project with Counties:** A consultant was hired to review the current restricted materials permit program used at CAC offices for a possible replacement program called the State Permit and Use Report System. The consultant presented the process required for information technology projects including documentation, review, and approval procedures to CACs. Technical and business-case surveys were sent to CACs. All information will be used for a prefeasibility study report document. If approved, a feasibility study report and budget change proposal will be developed.
3. **County Permit and Use Reporting:** DPR has continued in the support of geographic information systems development at the county level. Deployment of the Kern County geographic information systems (GIS) programs as a pilot basis in counties just beginning to develop their GIS capabilities and field border databases is ongoing. DPR received a preliminary copy of the application from Kern County in May, and is now preparing documentation to support new users. Deployment to pilot counties will take place before the end of 2002.

Priorities

1. **Environmental Justice Policy:** DPR and the CACs have adopted mission statements and goals that reflect their commitment to ensuring environmental justice. By December, DPR

will develop, solicit comments on, and adopt a formal statement of its environmental justice policy.

2. **Indian Health Care:** In 1997, DPR held a series of community meetings with Indians in northern California. Indian groups, particularly the California Indian Basketweavers Association, had been expressing concern that Indians were being adversely affected by exposure to pesticides when gathering plant materials for basketry, food, or sacred uses. The meetings provided a forum to discuss these issues and make recommendations for resolving them. One of the concerns was that illnesses were being underreported because health care providers who regularly treat Indians may not be familiar the symptoms of pesticide-related illnesses. To address this issue, DPR contracted with the UC Davis to develop an Internet-based training program for Indian health care providers. Program development has been completed and certified for continuing education credits. The university will post the program available on its Web site.

Continuously Improving Performance

Cal/EPA Goals 7 and 8

DPR Strategic Plan Goals 5 and 6

The strength of DPR's program comes from its staff. Long-term, stable funding will be imperative to fulfilling our mandates. The proliferation of data and the maturing electronic information age have dramatically increased the opportunities to improve our processes and provide greater access to our data.

Accomplishments

1. **Online County Registration for Pest Control Licensees:** The pilot project in six counties to allow pest control operators to register online was completed by July. The feedback from the business community has been very favorable.
2. **Pesticide Residues on Fresh Produce Data Web Page:** In December 2001, DPR pesticide residue data (beginning with 1986) was made available to the public on the DPR Web site at www.cdpr.ca.gov/docs/pstrsmon/rsmonmnu.htm - data. A summary report for the 1998–2000 fresh produce data was added to the site in March. The report may be accessed at www.cdpr.ca.gov/docs/dprdocs/residue/resi1998/rsfr1998.htm. The data meet the criteria specified in Food and Agricultural Code sections 12532(a), (c), (d), and (e).
3. **Registration Process:** DPR's pesticide registration branch has developed an application tracking system that electronically sends information to registrants regarding the progress of each application as it moves through the registration process. Each transaction triggers an e-mail message detailing the latest activity on the submission and creates customized links to online instructions and regulatory materials. In addition, the pesticide registration branch has developed a new Web-based management system for the pesticide data index to replace an aging proprietary application. The new system provides better internal access and reporting

capabilities. The applications development phase has been completed for both of these projects and they will be implemented as part of DPR's server consolidation project.

4. **Government-to-Business Web Site:** Working directly with the Department of General Services' (DGS) e-business office and the vendor, DPR made the decision in February to expand its online county registration licensing pilot project to include San Joaquin, Merced, Madera, Fresno, Kings, Tulare, and Kern counties to the original pilot, for a total of 13 counties. This expansion results in continuous coverage from Contra Costa County to Los Angeles County. This coverage also enables pest control businesses, advisers, and pilots to review their license and compliance information maintained by DPR, obtain statewide county registration information, and submit registration information to participating counties.

Licensed pilots and agricultural aviation businesses register annually with the agricultural commissioner in each county where they do business. Businesses and pilots can now use the online service to submit their county registration information. This Web-based system gives businesses and pilots an easy way to electronically submit their registration information. This is critical to improving the overall quality, timeliness, and efficiency of registering in geographically disparate counties.

Priorities

1. **Pesticide Use Trends:** DPR will complete a detailed trend analysis of organophosphate use on almonds over the last nine years and examine alternate methods of pest control for overwintering pests. This analysis will help us evaluate the success of some of the projects funded by our pest management alliances and grants program. DPR will also start an analysis of pesticide use on another major crop (to be determined at a later date). The University of California contractor will provide progress reports on its development of a model survey. The survey will identify factors that affect growers' decisions to use IPM practices. DPR will release the 2001 pesticide use reports and a trends analysis. Enforcement and pest management and licensing branch staff will continue working with information technology branch staff on development of the pesticide use report component of a departmental data warehouse for data queries.
2. **Compliance Assessment and Improvement:** DPR plans to begin implementation of a compliance assessment oversight inspections program by re-measuring industry compliance levels in four counties that had been previously identified with low levels of compliance for worker protection requirements. Additionally, DPR and the CACs will be testing revised inspection procedures intended to improve compliance. On an ongoing basis, data will be collected from all CAC inspection forms to be analyzed and used for future performance goals and resource allocation.
3. **U.S. EPA Work Share Project:** DPR's pesticide registration activities continued to partner with U.S. EPA on sharing data reviews. DPR expects to complete two more residue review packages by September 30 to fulfill its 2002 federal fiscal year commitment. On October 1

(the beginning of the 2003 federal fiscal year), DPR will start with a new work plan. DPR's standard annual commitment has been 25 pesticide/crop combinations.

4. **Online County Registration for Pest Control Licensees:** DPR and the DGS e-government office will conduct training for CACs in the pilot counties. DPR and DGS plan to expand the project to more counties in 2003.
5. **I-License (Online License Renewal):** DPR will work with the DGS e-business office to assess DPR's readiness to deploy an online license renewal initiative (i-license). This new application would allow a licensee to log on, view and update contact information, view current licenses and certificates held, indicate which licenses and certificates are or are not to be renewed, calculate the total fee, and pay the fee. If required, the online form will require the applicant to enter continuing education course names, numbers, dates, and hours.

The DGS e-business office will provide the platform for license renewal through the California portal project. DPR will retain an existing back-office database now used to manage pest control licensees. This project will include the assessment of DPR's ability to develop linkages between the front-end license renewal forms and the back-office database. The key objectives are to reduce the time for preparation, submission, and processing of renewal applications for approximately 26,400 licensees; and to actually issue renewed licenses or certificates. With the caveat that budget and resource limitations may hinder our efforts, DPR will continue communication with the DGS e-business office during the remainder of 2002. This will ensure DPR's licensing renewal requirements are incorporated into this additional online licensing renewal process through the California portal project.

**DEPARTMENT OF TOXIC SUBSTANCES
CONTROL**

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

The mission of the Department of Toxic Substances Control is to restore, protect, and enhance the environment to ensure public health and environmental quality and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.

Overview

The Department of Toxic Substances Control (DTSC) implements its strategic plan through its three operational programs (site mitigation and brownfields reuse; hazardous waste management; and science, pollution prevention, and technology) supported by other programs, such as external affairs and administrative services. DTSC's strategic plan has six strategic goals and 26 strategic objectives that guide the program areas in the assignment and completion of work. This report presents DTSC's program accomplishments for the past six months and priorities for the next six months in the context of its strategic objectives. DTSC's accomplishments and priorities also reflect progress toward meeting Cal/EPA's strategic goals, as indicated at the beginning of each topical section.

DTSC's Six Strategic Goals

1. Protect public health and the environment from adverse effects of contaminated sites.
2. Minimize and/or eliminate adverse environmental and public health effects resulting from the past, present, and future generation and management of hazardous waste.
3. Continuously improve DTSC's application of science and technology.
4. Fully encourage and involve the public, including communities and local agencies, in a participatory process that ensures DTSC's decisions consider the needs of all affected parties.
5. Provide DTSC employees with the resources they need to perform their jobs.
6. Support DTSC employees with clear leadership and direction in an atmosphere that values diversity and ongoing communication.

Site Mitigation and Brownfields Reuse

Site mitigation refers to the process by which hazardous substance release sites are identified and investigated and in which cleanup alternatives are proposed, analyzed, and implemented. The site mitigation and brownfields reuse program has projects in the areas of school property evaluation and cleanup, statewide cleanup operations, military facilities, State and federal Superfund, emergency response, and statewide operations. The site mitigation program accomplishes the

cleanup of contaminated sites in California by either ensuring that those responsible for the contamination take all necessary actions or by performing those actions itself.

Cal/EPA Strategic Goals:

Cal/EPA Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

Cal/EPA Goal 5: Reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

DTSC Strategic Objectives:

Establish and implement protective and consistent cleanup programs and standards that can serve as a model for California and the nation.

Ensure that we identify sites and prioritize our actions so that hazardous substances sites that most impact, or threaten to impact, public health or the environment are characterized and remediated expeditiously.

Restore contaminated sites to beneficial use in a manner that protects public health and the environment.

Reduce or eliminate disproportionate effects of pollution on low-income and minority populations.

Ensure that the broadest range of environmental information is understandable, available, accessible, and useful.

Strive for the broadest possible public involvement in site and facility decisions.

Ensure that the California Environmental Quality Act (CEQA) is appropriately utilized in making project decisions.

Ensure DTSC's resources are focused on its highest priorities and core competencies.

School Property Evaluation and Cleanup

State laws that became effective in January 2000 require school districts to conduct rigorous environmental review and cleanup activities under DTSC oversight in order to receive State General Obligation Bond funds for property acquisition or construction. Since 2000, DTSC has evaluated more than 800 school sites within 280 districts in 45 counties. DTSC works with the districts to ensure that new school properties and expansion projects are environmentally safe for California's children. California's program of strenuous environmental reviews of school sites is unique in the nation.

Accomplishments

1. **School Cleanups:** DTSC oversaw cleanup of 100 acres of property on 11 Los Angeles Unified School District (LAUSD) school sites during the past six months, removing some 15,000 cubic yards of soil contaminated with toxic metals, pesticides, and solvents. Working closely with the LAUSD, DTSC evaluated the environmental conditions at 127 school properties. In the past six months, DTSC completed the following removal actions for the LAUSD:
 - Aldama Elementary School Addition. DTSC oversaw removal of 115 cubic yards of lead-contaminated soil from this 0.67-acre site.
 - Belmont Elementary School #6. After finding lead concentrations up to 5,000 parts per million at this former commercial/residential property, DTSC oversaw removal of 120 cubic yards of lead-contaminated soil from this 3-acre site.
 - Belmont/Hollywood Elementary School #1 (former Otis Art Institute): DTSC oversaw removal of 60 cubic yards of arsenic- and lead-contaminated soil from this 1.8-acre site.
 - Central New High School #1 (former Metro Media site). DTSC oversaw removal of 215 cubic yards of arsenic-contaminated soil from this 12.36-acre site.
 - Central New High School #2 (former Eller Media site). DTSC oversaw removal of 125 cubic yards of lead- and arsenic-contaminated soil from this 12.5-acre site.
 - Huntington Park Elementary School #3. DTSC oversaw removal of 6,720 tons of arsenic-contaminated soil from this 3-acre site.
 - Jefferson Elementary School #1: DTSC oversaw removal of 1,500 cubic yards of soil contaminated with total petroleum hydrocarbons from this 3.75-acre site, formerly used for residential, commercial, and industrial purposes.
 - Lankershim Elementary School Addition. DTSC oversaw removal of 1,900 cubic yards of chlordane- and lead-contaminated soil from this 1-acre site.
 - Nevin Elementary School Expansion. DTSC oversaw removal of 4,400 cubic yards of soils contaminated with polyaromatic hydrocarbons, volatile organic compounds, polychlorinated biphenyls (PCB), and metals from this 1-acre site. This school site is adjacent to the ReNu Metal Plating shop, which DTSC's cleanup operations division is now investigating.
 - Orthopaedic Hospital Magnet High School Site. DTSC oversaw removal of 174 cubic yards of soils impacted by polyaromatic hydrocarbons and lead at this 4.15-acre site, formerly used for commercial and industrial purposes.
 - Southeast Area Middle School #3, High School #2. At this 40-acre prospective site for three schools, DTSC approved the remedial investigation and oversaw removal of 1,940 cubic yards of soils impacted by arsenic and lead. Former land uses included a General

Motors automobile assembly plant, a storage area for soil waste piles from various sources, a junkyard, and a furniture manufacturer.

2. **Statewide School Environmental Site Assessments:** DTSC provided determinations on 44 phase I assessments and reviewed and approved 12 remedial action work plans submitted by the California Department of Education on behalf of various school districts. Additionally, DTSC entered into 30 environmental oversight agreements with school districts to oversee preliminary endangerment assessments and provided determinations on 86 preliminary endangerment assessments. DTSC also developed a master environmental oversight agreement with San Diego Unified School District for 30 proposed and existing school sites.
3. **Belmont Learning Center (Los Angeles):** DTSC participated with a group of experts in evaluating proposals to complete the environmental investigation and mitigation systems at the Belmont Learning Center. The LAUSD Board of Education selected Alliance for a Better Community to perform these duties.
4. **Guidance Documents:** DTSC developed a series of advisory documents to assist school districts with environmental issues, and worked with the Office of Environmental Health Hazard Assessment (OEHHA) to provide a listing of approximately 100 chemicals evaluated in human health risk assessment reports for school sites.

Priorities

1. **Statewide Schools Environmental Assessments and Cleanups:** DTSC anticipates completing 50 phase I assessments, 50 preliminary endangerment assessments, and 10 removal actions before December 31, 2002.
2. **Park Avenue Elementary School (Los Angeles County):** DTSC approved the remedial action plan for this school site. The six-month project, begun at the end of June, involves excavating 39,000 cubic yards of soils contaminated with volatile organic compounds, petroleum hydrocarbons, and metals. Remediation will continue for six months.
3. **Belmont Learning Complex:** DTSC will oversee development of the remedial investigation work plan being prepared by the LAUSD and its contractors.
4. **Organo-Chlorine Pesticide Study:** DTSC will conduct a study on prospective school sites to evaluate whether use of the pesticides chlordane, dieldrin, and heptachlor around homes, in crawlspaces, and around building foundations leaves unacceptable residual levels of this pesticide in the soil.
5. **Proposed Emergency Regulations:** DTSC proposes to develop emergency regulations for establishing guidelines for phase I site assessments conducted at school sites under the Education Code. These regulations would address lead from paint and PCBs in the soil.
6. **Pilot Project to Assist Financially Disadvantaged School Districts:** Under the U.S. EPA preliminary assessment/site investigation grant, DTSC will begin a pilot project to help financially disadvantaged school districts conduct preliminary endangerment assessments for

proposed school sites. DTSC will use a contractor to conduct investigations and prepare reports under DTSC oversight.

Statewide Cleanup Operations

DTSC is responsible for overseeing cleanup at a variety of different types of hazardous substances sites that are neither school sites nor military facilities. An estimated 90,000 brownfield sites exist in California. Brownfields are sites that are perceived to be contaminated and are underutilized because of potential environmental cleanup costs and liability concerns. To assist in the development of brownfield sites in California's urban centers, Governor Gray Davis signed into law the Cleanup Loan and Environmental Assistance to Neighborhoods (CLEAN) program. The program provides low-interest loans for investigation and cleanup of pollution at brownfield sites. DTSC also oversees cleanup activities at State and federal superfund sites.

Accomplishments

1. CLEAN Program Sites: DTSC has funded six CLEAN loan projects since January.

- East Bay Habitat for Humanity (Oakland, Alameda County). A \$425,000 CLEAN loan will finance the environmental investigation and excavation of contaminated soil in preparation for construction, by volunteers, of 20 to 24 homes for low-income families.
- Richmond Marina Bay (Richmond, Contra Costa County). A \$1.9 million loan will finance investigation and remediation activities on three parcels of land at the former World War II Kaiser Shipyard.
- Butterfield Trails (Los Angeles, Los Angeles County). A \$1 million loan will finance investigation and cleanup of the Butterfield Trails site, located in downtown Los Angeles.
- Vacaville Redevelopment Agency (Solano County). A \$237,000 loan will finance mixed use of industrial and commercial property, completing the revitalization of the downtown area.
- Santa Fe Springs (Los Angeles County). A \$950,000 loan will finance the cleanup of contamination at a 50,000-square-foot building for industrial use.
- Murrieta Crossroads (Riverside County). A \$700,000 loan will finance the cleanup and development of 50 new homes and commercial and industrial space.

2. Other Brownfield Sites:

- Amtrak Maintenance Facility (Oakland, Alameda County). Amtrak proposes to construct and operate a train maintenance facility on this 22-acre parcel. DTSC approved hot-spot removal of PCB-contaminated soil at the site.
- Bay Area Drum (San Francisco). With DTSC oversight, responsible parties performed the cleanup in eight residential backyards and two vacant lots contaminated by residuals from previous drum reconditioning activities at this 1.5-acre facility.

- Lorentz Barrel and Drum (Santa Clara County). 10th Street Land Management Corporation has purchased the five-acre property and proposes to use it as a long-term storage yard for commercial and construction vehicles, thus facilitating construction in downtown San Jose. The company agreed to maintain and, if necessary, upgrade the cap, which isolates the contamination and keeps water from running through it on the property.
 - Pacific States Steel (Union City, Alameda County). DTSC has approved the design plan to clean up the former steel mill site for mixed residential use and commercial development.
 - Rivermark Development (Santa Clara County). DTSC approved the soil removal implementation report on a final parcel. Rivermark Partners is developing this 152-acre property into 1,890 residential homes; retail and commercial businesses; and public facilities, such as a new elementary school, branch library, parks, fire station, and police substation.
3. **State Superfund Sites:** California's superfund program works on the state's most contaminated sites that are not listed on the federal national priorities list. Under this program, DTSC also uses State funds to clean up sites at which responsible parties either no longer exist or do not have sufficient funds to pay for cleanup activities.

Former Rail Yard Sites

- Cornfields site (Los Angeles, Los Angeles County). DTSC completed a preliminary endangerment assessment for the former 32-acre rail yard, which showed elevated levels of metals in subsurface soils. The State Department of Parks and Recreation purchased the site, which is designated for construction of a park and recreation complex after further investigation and cleanup.
- Union Pacific Downtown Rail Yard (Sacramento, Sacramento County). The 240-acre site, operated since the 1800s as the western hub of the transcontinental railroad, is proposed for use as an inter-modal transportation center and for office and commercial facilities, multifamily residential units, and possibly an athletic arena. DTSC and the Sacramento Air Quality Management District approved a work plan for air monitoring to include monitoring for asbestos.

Tire Fire Sites

- Westley tire fire site (Westley, Stanislaus County). DTSC joined with the Central Valley Regional Water Quality Control Board and the CIWMB to oversee the remediation of the Westley tire fire site that burned in September 1999. Approximately 180,000 cubic yards of waste and burned tire debris have been excavated and disposed of.
- Tracy tire fire site (Tracy, San Joaquin County). DTSC is working in cooperation with the CIWMB to clean up approximately 7 million used tires that burned from August 1998 until December 2000. In January, the soil sampling and monitoring well installation was

were completed, which will provide information to refine the cleanup objectives and schedule.

Oil, Gas, and Town Gas Sites

- Midway Village/Bayshore Park (Daly City, San Mateo County). DTSC implemented the removal of all contamination in the upper 5 feet of landscape areas in Midway Village and the upper 2 feet of soil in Bayshore Park. The site is a low-income housing area contaminated with polynuclear aromatics originated in a nearby former town gas site.
- William Mead Homes low-income housing project (Los Angeles). Under DTSC oversight, the Housing Authority of the City of Los Angeles completed the environmental investigation and feasibility study for the site.
- Nipomo waste oil dump site (Nipomo, San Luis Obispo County). DTSC completed the cleanup and restoration of the Nipomo Waste Oil Dump. The cleanup included the excavation of 15,000 cubic yards of soil and waste.
- Port of Long Beach Pier S (Long Beach). DTSC oversaw the remedial actions at this 176-acre former oil and gas site. The site is ready for development as a container or storage terminal area following excavation of approximately 466,500 cubic yards of soil and the importation of clean fill material to raise the ground surface above sea level.

Former Battery Recycling Sites

- H. S. Mann site (Del Rey, Fresno County). This site is located in a small farm working community adjacent to fruit-packing plants. Former battery recycling operations created high lead-soil concentrations and groundwater contamination. DTSC completed an environmental study for the site and is preparing California Environmental Quality Act documents and a cleanup plan.

Former Plating Shops

- J & S Chrome Plating (Los Angeles County). DTSC, using State orphan funds, conducted site characterization activities to define the extent of contamination on the northern parcel at the former chrome plating facility. The site, located near Suva Elementary School, has been the subject of significant public interest. Previous interim measures ensure that the site will not pose a threat to students or teachers at Suva School.

Former Steel Mills

- Kaiser Steel (San Bernardino County). DTSC approved a treatability study and remedial action plan for stabilizing and capping the tar pits within the former steel mill site. No reuse is planned for this area; however, an industrial park and a large truck stop facility are proposed for the adjacent Kaiser property. DTSC and the owner of the property, CCG Ontario, LLC, signed a deed restriction to ban future residential and sensitive uses in the west slag piles at the facility.

Former Wood-Treating Sites

- Alhambra combined facility site (Los Angeles County). Contractors installed the in-situ thermal desorption system to treat 15,000 cubic yards of soil contaminated from wood-treating operations. Field activities began in January. The use of this innovative technology solution that destroys the contamination will provide a permanent remedy for the site rather than leaving contamination in place and maintaining the site in perpetuity.

Naturally-Occurring Asbestos Sites

- Garden Valley discovery site (Garden Valley, El Dorado County). DTSC contracted with the U.S. Department of Transportation and initiated work to identify potential sources of naturally occurring asbestos and to assess releases from serpentine-surfaced roads within the community.

Pesticide-Contaminated Sites

- University of California (Riverside County). DTSC oversaw the excavation of all of the contaminated soil at the site. More than 90 percent of the soils contaminated with pesticides were treated thermally to approved cleanup standards. Completion of the final 10 percent of contaminated soil is expected by August. Certification is expected by October.

4. **Federal Superfund Sites:** Federal Superfund projects involve sites placed on the national priorities list by U.S. EPA, following a process specified in federal law. U.S. EPA oversees and directs investigation and cleanup activities at these sites. The State participates with U.S. EPA in these activities and provides 10 percent matching funds toward these efforts. Once investigations and cleanup work are completed, DTSC monitors the ongoing operation and maintenance of the remedy.
 - Casmalia Resources Facility (Casmalia, Santa Barbara County). DTSC provided oversight at two landfills involving cap construction and redesign. Construction of the second landfill cap and capping of an adjacent landfill unit has started, leaving one landfill still to be capped. DSTC is working with U.S. EPA to recover past response costs and develop a comprehensive consent decree with a large group of potentially responsible parties known as the Casmalia Resources Site Steering Committee.
 - Montrose Chemical Company (Torrance, Los Angeles County). Working with DTSC to address environmental concerns, U.S. EPA excavated approximately 10,000 cubic yards of DDT-contaminated soil in the front yards of 22 homes. DTSC met with community members and environmentalists regarding concerns related to health issues and site assessment activities.
 - Stringfellow Superfund site (Glen Avon, Riverside County). DTSC is conducting ongoing operation and repairs at the pre-treatment plant, including a project to replace sludge tanks. Twenty-eight new monitoring wells were installed to determine the extent of a perchlorate plume that may be bypassing the existing extraction system. Based on

sampling results, selected wells will be converted to extraction wells to control perchlorate migration to the community of Glen Avon.

Priorities

1. **CLEAN Program Sites:** DTSC will continue to monitor and support cleanups occurring at the sites funded by CLEAN loans. In addition, DTSC will continue to manage contract activities by MGP Environmental Partners to negotiate and award a contract in late 2002 for a State-designated provider of the Financial Assurance & Insurance for Redevelopment (FAIR) program environmental insurance to promote brownfield cleanup and reuse.
2. **Other Brownfield Sites:** DTSC will continue to pursue cleanup of brownfield sites using various mechanisms—including voluntary cleanup agreements and prospective purchaser agreements—to facilitate reuse of those properties.
3. **State Superfund Sites:** DTSC will continue or initiate work on the sites described below.

Former Rail Yard Sites

- Cornfields site (Los Angeles, Los Angeles County). Remediation of this former 32-acre rail yard should be complete by August. This will allow for the groundbreaking ceremony for a park and recreation complex in September.
- Union Pacific downtown rail yard (Sacramento, Sacramento County). DTSC will develop criteria for handling the remaining rail yard stockpiles and remediating soils to accommodate realignment of tracks for freight traffic. The City of Sacramento began construction of the 7th Street corridor on July 8.

Tire Fires Sites

- Westley tire fire site (Westley, Stanislaus County). Efforts to remove the debris piles and waste tires are ahead of schedule and may be completed as early as December. DTSC is conducting an investigation to determine the full extent of contamination. Recent groundwater investigation revealed trace amounts of organic compounds. Groundwater monitoring will continue for three years following removal of the debris piles.

Oil, Gas, and Town Gas Sites

- William Mead Homes low-income housing project (Los Angeles, Los Angeles County). DTSC will release a remedial action plan for public comment and begin cleanup activities.

Former Battery Recycling Sites

- H.S. Mann site (Del Rey, Fresno County). DTSC will release a remedial action plan for public comment and begin cleanup activities.

Former Plating Shops

- J & S Chrome Plating (Los Angeles County). DTSC, using State orphan funds, will continue work on this site.

Former Wood-Treating Sites

- Alhambra Combined Facility Site (Los Angeles County). DTSC anticipates that the in-situ thermal desorption system to treat 15,000 cubic yards of soil contaminated from wood-treating operations will have removed contamination from the soil by December.

Naturally-Occurring Asbestos Sites

- Garden Valley discovery site (Garden Valley, El Dorado County). During the next six months, depending on the availability of State funds, DTSC, in conjunction with U.S. EPA and the U.S. Department of Transportation's Volpe Center, will conduct an air assessment of asbestos emissions from serpentine-surfaced roads within the community. DTSC will also begin testing the effectiveness of resurfacing serpentine roads to mitigate asbestos releases. It is expected that analytical issues with previous soil-sampling results will be resolved and the results will be released to the community.

Pesticide-Contaminated Sites

- University of California (Riverside County). DTSC will oversee the completion of thermal treatment of the remaining 10 percent of the pesticide-contaminated soil, expected to occur in August. DTSC expects to certify the site as cleaned up by October.

Regional Groundwater Plume Sites

- South Fresno regional groundwater plume (Fresno, Fresno County). DTSC will begin the oversight of activities to capture the leading edge of the regional groundwater plume by December.

Auto Salvage Sites

- S. R. Kilby site (Rosamond, Kern County). The State orphan site is included in the Rosamond cancer cluster study and involves heavy metal contamination. DTSC anticipates completing additional field sampling and a work plan for the site by September.

4. Federal Superfund Sites

- Casmalia Resources Facility (Casmalia, Santa Barbara County). DTSC will coordinate with U.S. EPA regarding oversight of contractors to complete cap construction on two of the landfill units, conduct field investigation work, and work on the on-site leachate collection and treatment system. DTSC will also coordinate efforts between U.S. EPA and other State agencies to collect data for evaluating potential final remedy options.

- Stringfellow Superfund site (Glen Avon, Riverside County). DTSC identified 20 homes using private well water that may be contaminated with perchlorate. Under a contract with DTSC, the Jurupa Community Services District will connect all of these homes to the district water system by December. DTSC will meet with Orange County Sanitation and Water District and the Department of Health Services to determine the acceptable effluent standards for the new pre-treatment plant.

Military Facilities

California has one-third of the closing military bases in the country. DTSC provides environmental regulatory oversight and technical assistance to more than 160 current or former military facilities. Environmental oversight and cleanup allows for safe transfer of these sites to local governments for reuse and development. Of continuing concern is the reuse of military sites that contain unexploded ordnance.

Accomplishments

1. Transfer of Military Facilities

- East Fort Baker (Sausalito, Marin County). DTSC approved environmental documents to allow for the transfer of the 93-acre property to the National Park Service for a conference center and recreational use.
- Ford Ord (Monterey County). DTSC worked extensively with the Office of Governor Gray Davis on his concurrence with the early transfer of 767 acres to various State and local entities in April. A large portion of the transferred property will be converted to housing.
- Marine Corps Air Station (Tustin, Orange County). DTSC concurred with the U.S. Navy's findings that portions of 11 parcels could be leased for commercial and business uses. The leases contain restrictions that will ensure that public health and the environment are protected while cleanup actions are completed.
- Rio Vista Army Reserve Training Area (Rio Vista, Solano County). DTSC approved the U.S. Army's no further action decision, and under special legislation, the Army transferred the 28-acre property to the City of Rio Vista for recreational use.

2. Munitions and Ordnance

- Development of national guidance on unexploded ordnance. DTSC co-chaired a national effort with the National Association of Attorneys General, the Department of Defense, and U.S. EPA to reach consensus and develop guidance to clear unexploded ordnance. California has approximately 400 sites that may have unexploded ordnance.
- Technical assistance on alternative to open detonation. DTSC scientists in the science, pollution prevention, and technology program conducted a technical review of a proposed plan for a test detonation chamber located at China Lake Naval Weapons Station and

facilitated the involvement of the ARB in reviewing the proposed test plan. The ARB provided comments to the DTSC hazardous waste management program on the alternative technologies document as well as commenting on the proposed emission factor methodology to be used for the hazardous waste facility permit.

3. **Military Facility Cleanup**

- Tourtelot (Benicia, Solano County). In March, DTSC approved the environmental planning and technical work plan documents required to allow the beginning of ordnance and explosives field investigations. Surface and at-depth ordnance and explosives clearance will occur into 2003. The cleanup will allow the site to be developed for housing and a park.
- Marine Corps Air Station (El Toro, Orange County). The U.S. EPA and DTSC signed the record of decision for groundwater cleanup at the base. The remedy addressed volatile organic compound contamination in a shallow and regional groundwater plume that extended as far as 3 miles from the western base boundary. The extracted groundwater was treated at the Irvine Desalter Plant and made available for non-potable uses. Under a settlement agreement reached by the U.S. Navy and the U.S. Department of Justice, local water districts are constructing and operating the plant.

Priorities

1. **Transfer of Military Facilities.** DTSC is working to complete the early transfer of a number of parcels of military facilities:
 - Hamilton Army Airfield (Marin County). Transfer of 600 acres to the State Coastal Conservancy for the creation of wetlands.
 - Mare Island Naval Shipyard (Solano County). Transfer of 2,800 acres to the City of Vallejo for recreation and wildlife area development.
 - Oakland Army Base (Alameda County). Transfer of 380 acres to the City and Port of Oakland to redevelop the site for industrial, commercial, and port reuses.
 - Naval Communications Station (Stockton, San Joaquin County). Transfer of 1,400 acres of former naval base property to the Port of Stockton.
 - Hunters Point Shipyard (San Francisco, San Francisco County). Transfer of 86 acres to the City of San Francisco for unrestricted reuse in August.
 - Long Beach Naval Complex (Long Beach, Los Angeles County). DTSC will make recommendations to the Governor on the suitability of transferring 90 acres of Navy property to the Port of Long Beach for development into a container terminal.

2. Munitions and Ordnance

- Fort Ord (Monterey County). Completion of the interim action record of decision will include brush clearing, investigation, and removal of ordnance and explosives from three former ranges on the former Fort Ord facility.
- Proposed adoption of regulations, pursuant to U.S. EPA's military munitions rule. Hazardous waste identification and management; explosives emergencies; manifest exemption for transport of hazardous waste on rights-of-way contiguous properties; R-97-20. DTSC's hazardous waste management program is developing regulations that parallel the federal military munitions regulations but include areas of greater specificity and stringency. The proposed regulations are currently undergoing internal DTSC review. Upon completion of review, the proposed regulations will be made available for public comment.

3. Military Facility Cleanup

- Naval Station, Treasure Island (San Francisco, San Francisco County). Over the next six months, the U.S. Navy will provide an enhanced public participation effort. The Navy will then complete the Site 12 remedial action plan for soil in enclosed backyards of the occupied housing units and in unoccupied areas known to be heavily contaminated. Several years ago, the City of San Francisco and the Navy decided to begin redevelopment of the Site 12 housing, despite the remedial investigation of former waste disposal areas under and around the housing was not yet completed. Recently, the city and developers at Site 12 have expressed concerns that these remedial activities adversely affect leasing the former military housing units.

Emergency Response

DTSC has trained responders who provide immediate assistance during sudden or threatened releases of hazardous materials.

Accomplishments

1. **Emergency Response Program.** DTSC completed emergency removal actions at 1,200 illegal drug lab sites seized by State and local enforcement agencies and at 65 other non-lab-related sites.
2. **Ford City (Kern County).** DTSC is assessing residential properties adjacent to the Naval Petroleum Reserve to determine if a time-critical removal of ash is warranted. Initial sampling work was conducted in May and June.

Priorities

1. **Emergency Response Program.** DTSC anticipates conducting 1,200 illegal drug lab removals and 70 other non-lab-related emergency removals by December. Working with the Bureau of Narcotics Enforcement, DTSC will identify compounds used or produced in the

manufacturing of methamphetamines that may pose a significant threat to public health or the environment.

Statewide Cleanup Issues

Through the site mitigation and brownfields reuse special projects unit, DTSC provides oversight and technical assistance for cleanup activities that do not fit within its issue-specific program areas (see Casmalia and Stringfellow under federal Superfund sites, page 47) and works to continually improve the State's cleanup processes.

Accomplishments

1. **Improved Coordination of Site Cleanup Processes.** DTSC and the State Water Resources Control Board (SWRCB) have co-sponsored an internal work group to identify major areas of differences and opportunities for coordination in their respective site cleanup programs.

Priorities

1. **Coordination of Site Cleanup Processes.** By fall 2002, DTSC and the SWRCB will prepare a report for Cal/EPA of the work group's findings and recommendations. This report will present a broad picture of DTSC and SWRCB cleanup processes and their relative merits, while recognizing the independent evolution of these processes.
2. **Response Action Regulations; R-97-11.** DTSC's hazardous waste management program will continue to develop regulations to establish a single cleanup process for site cleanups conducted by DTSC and by the Certified Unified Program Agencies (CUPA). The proposed regulations are currently undergoing DTSC review and will be made available for public comment.

Hazardous Waste Management

The hazardous waste management program ensures that State and federal requirements for managing hazardous wastes are effectively implemented, enforced, and assessed for effectiveness. The program consists of the statewide compliance division, the permitting division, and the State regulatory programs division.

Cal/EPA's Strategic Goals:

Cal/EPA Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

Cal/EPA Goal 5: Reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

DTSC Strategic Objectives:

- Monitor California's hazardous waste storage, treatment, and landfill capacity to manage all its hazardous waste in a safe and efficient manner.

- Prevent future hazardous waste contamination of the environment by ensuring proper management and provision for adequate financial assurance.
- Reduce hazardous waste generation.
- Reduce the dependence on treatment and disposal by reduction, reuse, and recycling.
- Reduce the adverse impacts of hazardous waste going across the California-Mexico border.
- Build on the current regulatory framework toward a performance-based system that fosters continual improvement in hazardous waste management leading to a sustainable California.
- Ensure that the broadest range of environmental information is understandable, available, accessible, and useful.
- Strive for the broadest possible public involvement in site and facility decisions.
- Ensure the California Environmental Quality Act (CEQA) is appropriately utilized in making project decisions.
- Ensure DTSC's resources are focused on its highest priorities and core competencies.

Compliance and Enforcement

Through its enforcement efforts, DTSC works to ensure that hazardous waste generators, transporters, and hazardous waste management facilities meet State and federal requirements. The program monitors hazardous waste transportation, storage, treatment, and disposal facilities, and takes appropriate action against handlers who violate hazardous waste requirements. The program also provides technical investigation assistance and expert testimony for civil and criminal investigations.

Accomplishments

1. **Backlog Reduction:** DTSC is eliminating the backlog of enforcement cases. A backlogged case is one that has not been issued or that has not been referred to the Attorney General's office within a specified number of days following the identification of the violation. Seventy-three enforcement cases were backlogged as of January 1, 1999. Since then, DTSC has resolved 70 of those cases. Additionally, DTSC is taking steps to minimize any new backlog of enforcement cases. Among those measures are to refer larger cases to the Attorney General's office earlier in the process and begin a comprehensive review of guidelines that explain the conduct of enforcement actions. DTSC's enforcement response policy, for example, is being amended to encourage settlement of cases within 180 days following the discovery of a violation. This change is consistent with provisions of State law that identify various deadlines to violators and to DTSC for the purpose of clarifying and attempting resolution to violations prior to taking enforcement action.

2. **Los Angeles Jewelry Mart (Los Angeles County):** The jewelry industry uses some highly toxic chemicals, including cyanide. To assist the manufacturers in better understanding how to reduce or eliminate their waste and comply with hazardous waste laws, DTSC prepared and distributed a series of waste- and process-specific fact sheets. Staff also participated in several jewelry industry workshops.
3. **California/Mexico Border:** DTSC's border program offered hazardous waste and pollution prevention training for the metal finishing industry in Ensenada, Tijuana, Tecate, and Mexicali. The training included sessions on import/export requirements for hazardous materials and wastes, universal waste, e-waste/cathode ray tubes (CRT), and pollution prevention. DTSC staff also conducted routine truck stops at the Otay Mesa and Calexico ports-of-entry to monitor the import and export of hazardous wastes. As a result of the truck stops, DTSC took several enforcement actions.
4. **Settlements and Enforcement Orders:**
 - Cenco Refinery Oil Company/Powerine Oil Company (Santa Fe Springs, Los Angeles County). In 1997, DTSC found Cenco, an inactive petroleum refinery, to be in violation of the hazardous waste control laws when it stored hazardous refinery waste without a permit from DTSC. In May 2000, the Attorney General's Office filed a civil complaint against Cenco/Powerine. As part of the settlement reached in 2002, Cenco/Powerine will pay a \$900,000 penalty, reimburse DTSC's costs of \$100,000, and remove all the wastes that were stored without a permit.
 - American Recovery, Inc./A-American Environmental (ARI/AEE) (Alhambra, Los Angeles County). ARI/AEE was a permitted hazardous waste facility located in Alhambra. During a number of inspections conducted between 1999 and 2001, DTSC inspectors found the facility to have stored wastes in excess of its authorized capacity and in an unsafe manner. In 2001, the Attorney General's office filed a civil complaint in Los Angeles County Superior Court, asking the court to require the facility to remove waste from the site. DTSC has a trial date of February 24, 2003.
 - Valero Refinery (Benicia, Solano County). During an April 2000 inspection, DTSC inspectors found that Valero Refinery caused illegal disposal and improper storage of non-RCRA hazardous waste. In March, Valero failed to characterize the waste as hazardous. Valero and DTSC agreed to settle the case for \$116, 000, which includes a supplemental environmental project of contributing \$19,000 to the California District Attorney's Association to support the prosecution of environmental crimes.

Priorities

1. **Backlog Reduction:** DTSC will resolve the remaining three of the backlogged enforcement cases by December. Additionally, DTSC will continue to take steps to minimize any new backlog of enforcement cases. DTSC will adopt the U.S. EPA enforcement response policy that encourages settlement of cases within 180 days following the discovery of a violation. This change is consistent with provisions of State law that identify various deadlines to

violators and DTSC for clarifying and attempting resolution to violations prior to taking enforcement action.

2. **Los Angeles Jewelry Mart (Los Angeles County):** To assist the manufacturers in better understanding how to reduce or eliminate their waste and comply with hazardous waste laws, DTSC will translate the previously prepared series of waste- and process-specific fact sheets into Spanish, Vietnamese, and Armenian. DTSC will complete translation activities for those fact sheets, including proofing, printing, and posting on DTSC's Web site. DTSC will continue to provide technical support as needed to the Los Angeles City and County agencies in support of their activities at the Jewelry Mart.
3. **California/Mexico Border:** The DTSC border unit will continue to foster a strong working relationship with entities in Mexico, and with U.S. EPA, local agencies, and industry. The border unit will continue its outreach programs and continue to monitor trans-boundary shipments of hazardous wastes.

Permitting

DTSC ensures that hazardous waste is properly managed at facilities that treat, store, and dispose of hazardous waste by enforcing regulations through its permitting and corrective action processes. DTSC has issued 130 hazardous waste facility permits to commercial facilities, and regulates 5,000 businesses that conduct lower-risk treatment and storage activities through a streamlined tiered permitting process.

Accomplishments

DTSC processed the following permitting activities:

1. **J & B Enterprises (Santa Clara, Santa Clara County):** DTSC issued a standardized permit to precious metal recycler J & B Enterprises.
2. **Romic Environmental Technologies (East Palo Alto, San Mateo County):** In response to DTSC's concerns about the integrity of its tanks, the facility developed a testing proposal on tank integrity. Upon completion of testing, DTSC will make a proposed authorization determination for each tank that will be incorporated into the facility's draft permit and draft environmental impact report (EIR).
3. **Final Permits:** General Atomics, mixed waste facility (San Diego County) received a final permit.
4. **Draft Permits:** Safety Kleen, solvent recycling facility (San Jose, Santa Clara County) received a draft permit.
5. **Closure Verifications:** Ashbury Environmental, used oil transfer facility (Napa County) received a closure verification.

Priorities

1. **Quemetco, Battery Recycler (City of Industry, Los Angeles County):** DTSC will complete the permit process for Quemetco after responding to significant public comments received on the draft permit.
2. **Sierra Army Depot (Lassen County):** DTSC anticipated receiving proposed changes to the Sierra Army Depot draft permit from the U.S. Army in spring 2002. Due to pending litigation and settlements, the submittal is planned for summer 2002.
3. **Romic Environmental Technologies (East Palo Alto, San Mateo County):** DTSC will continue developing the facility's draft permit and draft EIR. DTSC expects to issue the public notice for both in the second quarter of 2003.
4. **Final Permit Determinations:**
 - Dow BIF, boiler and industrial furnace (Pittsburg, Contra Costa County).
 - Lawrence Livermore National Laboratory, mixed waste storage and treatment (Livermore, Alameda County).
5. **Draft Permit Determinations:**
 - Evergreen Oil, Inc., used oil recycler (Newark, Alameda County).
6. **Closure Verifications:**
 - Safety Kleen Systems, Inc., solvent recycling facility (Oakland).
 - Safety Kleen Systems, Inc., treatment/storage facility (Salida, Stanislaus County).
7. **Post-Closure Permit Project:** DTSC will continue to issue post-closure permits to closed facilities, relying on recently developed guidance that ensures that long-term operation and maintenance on closed facilities is adequately funded to protect human health and the environment. DTSC plans to have the first of five post-closure permits ready for public notice by December.
8. **Financial Responsibility/Closure Cost Update Project:** DTSC is making progress toward the goal of ensuring that all hazardous waste facilities have adequate financial resources to close in an environmentally protective manner. DTSC will update closure-cost estimates for each facility, using the best available data and models, and will coordinate with the facilities to ensure that the financial assurance mechanisms are adequately funded. DTSC intends to have revised all closure cost estimates revised by December 2004.

State Regulatory Programs

DTSC promulgates and adopts a variety of regulatory standards to define hazardous waste identification and management standards, both in response to statutory mandates and to refine the scope of its regulatory programs. In addition, in order to maintain its authorization from U.S.

EPA as an authorized State program, DTSC must modify its regulations to align with them changes to federal regulations.

Accomplishments

1. **Scrap Metal Regulations, R-01-07:** These regulations became effective April 11. The regulatory change clarifies the circumstances by which scrap metal is exempted from regulation under State law and achieves consistency with the federal requirements.
2. **Universal Waste Regulations, R-97-08:** The Secretary of State approved the Universal Waste Regulations on February 8. These regulations authorize special management standards separate from the general hazardous waste standards for “universally” generated hazardous wastes as opposed to industrial hazardous wastes. Universal wastes include batteries, thermostats, fluorescent light tubes, vehicle lighting switches, and CRTs. California is one of the few states to adopt e-waste regulations to address CRTs.

Priorities

1. **Manifest Discrepancies Regulations** (described below under terrorist response and disaster preparedness accomplishments): DTSC will proceed with the final rulemaking to become effective prior to the expiration of the emergency regulations.
2. **Overweight Dump Trucks:** This emergency regulation will clarify that a hazardous waste facility permit is not required for the bulk transfer of contaminated soil from a dump truck that has been dangerously overloaded. The regulation will establish minimum protective requirements for the bulk transfer operation.
3. **Waste Code Revision Regulations; R-98-03:** DTSC will continue to develop regulations to amend its waste code system. The proposed regulations, currently undergoing internal review, will base the waste codes on the criteria used to identify the waste as hazardous. The proposed regulations will be made available for public comment in the next six months.

Science, Pollution Prevention, and Technology

The science, pollution prevention, and technology program consolidates DTSC’s scientific and technology-oriented activities and supports environmental improvements through pollution prevention and the assessment of new environmental technologies.

Cal/EPA Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

Cal/EPA Goal 6: Ensure the efficient use of natural resources.

Cal/EPA Goal 7: Continuous improvement and application of science and technology.

DTSC Strategic Objectives:

Pursue phase-out of the use of selected persistent bioaccumulative toxic chemicals, based on highest environmental risk and the availability of suitable alternatives.

Reduce hazardous waste generation.

Diminish the dependence on treatment and disposal by reduction, reuse, and recycling.

Reduce the adverse impacts of hazardous waste transported across the California-Mexico border.

Enhance analytical capacity in risk assessment and measurements and monitoring to guide risk management decisions.

Promote the development, commercialization, and use of effective environmental techniques and technologies.

Develop data of adequate quality for hazardous substance measurement.

Reduce or eliminate disproportionate effects of pollution on low-income and minority populations.

Ensure that the broadest range of environmental information is understandable, available, accessible, and useful.

Understand, anticipate, and meet program needs for space, equipment, training, and information.

Environmental Science

DTSC assesses the risk and hazard to the public and its own staff from exposure to hazardous substances. Staff scientists conduct chemical analyses, support regulatory programs, develop analytical methods, and conduct studies related to environmental fate and transport of chemicals.

Accomplishments

1. **Analysis of Persistent Bioaccumulative Toxic Substances:** DTSC is pursuing research in the area of these potentially toxic, long-lasting substances that can build up in the food chain to levels that, if toxic, are harmful to human health and cause environmental harm.

Significant developments in this area include:

- DTSC developed a method for measuring brominated flame retardants in electronic waste and completed an analysis of brominated flame retardants and toxic elements in selected discarded electronic products.
- DTSC completed the analysis of pesticides, PCBs, and polybrominated diphenyl ethers (PBDE) in adipose samples from Bay Area women (funded by the federal Department of Defense).
- DTSC completed the analysis of PCBs and PBDEs in serum samples from Bay Area women (funded by the National Institute for Environmental Health Sciences).

- DTSC published measurements of PCBs, PBDEs, and dioxins in harbor seals, and completed the analysis of dioxins and PCBs in fish from California coastal waters (funded by the U.S. EPA and the State Water Resources Control Board).
2. **Environmental Laboratory Infrastructure:** DTSC has invested in hardware and software to better support its environmental laboratories. DTSC installed a new chromatography system to replace an obsolete one and ordered a new laboratory information management system. DTSC also installed a new high-resolution gas chromatography-mass spectrometer for measuring trace organics. These upgrades will provide staff with better instruments by which to analyze and evaluate contaminants. It will also enhance DTSC's ability to develop new analytical methods to detect new contaminants at ever-lower levels.

Priorities

1. **Analysis of Persistent Bioaccumulative Toxic Substances:** DTSC will complete the analysis of toxic elements and brominated flame retardants in selected discarded electronic products. Staff will also complete measurements of PCBs, PBDEs, and dioxins in eggs of shorebirds from the San Francisco Bay (funded by the U.S. Department of Fish and Wildlife). In addition, DTSC will initiate the analysis of dioxins in agricultural soils to assess the impact of fertilizers and soil amendments (funded by the California Department of Food and Agriculture).
2. **Brominated Flame Retardants and Other Persistent Bioaccumulative Toxic Substances:** DTSC will work with other agencies to address issues related to identifying substances, their sources, and potential pollution prevention and regulatory options for brominated flame retardants and other persistent bioaccumulative toxic substances.
3. **Verification of Field Testing for Former Drug Labs:** In cooperation with the Department of Justice and the Office of Environmental Health Hazard Assessment, DTSC will complete a test plan for the use of immunoassays in clandestine drug labs. Immunoassays have the potential for allowing timelier testing of former clandestine drug labs.
4. **National Standards Audit:** DTSC will begin an audit of its laboratories for compliance with the standards of the National Environmental Laboratory Accreditation Conference (NELAC).

Pollution Prevention

The Office of Pollution Prevention and Technology Development promotes hazardous waste source reduction and environmental technologies through statewide leadership, demonstration projects, and technology evaluations. The office provides assistance to technology developers, local governments, and regulatory agencies.

Cal/EPA Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

Cal/EPA Goal 6: Ensure the efficient use of natural resources.

Cal/EPA Goal 7: Continuous improvement and application of science and technology.

Accomplishments

1. **Source Reduction Planning:** State law requires larger hazardous waste generators to prepare a series of source-reduction planning and reporting documents. Of the approximately 5,000 generators potentially subject to this law, 1,700 self-certified are exempt. DTSC conducted a pilot project with 180 generators in Orange County to evaluate those who have completed their self-certified exemptions. Despite repeated requests, one-fifth of the State's hazardous waste generators have failed to submit the appropriate documents. DTSC has initiated enforcement actions against the 300 non-responders that generate the largest quantities of waste.
2. **Local Government Support:** DTSC provided extensive support to the five local government pollution prevention roundtable committees and helped to establish two new committees in San Diego and Kern Counties. Staff also provided pollution prevention support to Certified Unified Program Agencies (CUPA).
3. **Vehicle Service and Repair Project:** DTSC has provided pollution prevention training to government inspectors as well as to the automotive repair shop owners, operators, and service technicians. In addition to presenting 13 training workshops, conducting a dozen site visits, and participating in conferences, DTSC:
 - Initiated measurement projects with the cities of Long Beach and Glendale to evaluate the outreach effectiveness in terms of implementation rates.
 - Completed initial assessment of businesses that attended preliminary training. Findings suggest that more than half of the trained businesses implemented at least one of the five suggested pollution prevention measures within the first year following the training.
 - DTSC is working with Shasta Community College to develop curriculum to teach future auto service technicians about applicable environmental laws. The goal of this project is to transfer the curriculum to community colleges.
5. **Mexico Border Pollution Prevention Project:** DTSC developed training programs and established a Baja Regional Pollution Prevention Roundtable committee to develop pollution prevention projects. Staff conducted pollution prevention training for vehicle service and repair facilities and Mexican government officials in Mexicali.
6. **The External Advisory Committee:** Established by SB 1916 (Sher, Chapter 881, Statutes of 1998), the committee recommended that DTSC pursue opportunities in large semiconductor businesses for reduction of hazardous waste at its source.

Priorities

1. **Source Reduction Planning Act:** The next generator source reduction plans are due to be completed by September 2003. Staff will prepare an updated guidance manual by December

and initiate industry outreach and education efforts. DTSC will also expand the Orange County pilot project to include a statewide effort to assess all generators who self-certified exemption and, where needed, take appropriate enforcement action. DTSC will conduct enforcement against those generators not responding to its SB 14 (Chapter 1218; Statutes of 1989) compliance assessment. The success of returning generators to compliance will contribute to compliance improvements in the September 2003 planning cycle.

2. **Local Government:** DTSC will continue to support the local government pollution prevention committees and identify additional staff and funding resources to allow local government programs to effectively develop, implement, and conduct pollution prevention programs and projects. DTSC will work with local government committee members to provide direction to the October Western Regional Pollution Prevention Network for the annual pollution prevention conference, and support the September 16–22 Pollution Prevention Week.
3. **Vehicle Service and Repair Project:** DTSC will continue to provide this pollution prevention training in workshops statewide.
4. **Chemical Industry Assessment:** DTSC will undertake a source reduction assessment of the chemical manufacturing industry, reaching out to 30 to 50 of the State's largest chemical manufacturers. It will assess and assure generator compliance and capture key source-reduction approaches to distribute throughout the industry via an assessment report and fact sheets.
5. **Outreach Programs:** Conduct pollution prevention training for vehicle service and repair facilities.
 - Work with the Department of Health Services to develop mercury elimination options for California hospitals.
 - Coordinate with the petroleum refining industry to develop a source-reduction project.
 - Build its pollution prevention training programs along the U.S.-Mexico border.

Technology Development

DTSC's technology development program focuses on evaluating new technologies to treat, recycle, clean up, and eliminate or reduce hazardous waste at its source. DTSC scientists and engineers evaluate new technologies and help developers bring their ideas to market. DTSC's environmental technology program has certified 25 hazardous waste technologies since 1994.

Accomplishments

1. **In-Situ Bioremediation Technology:** DTSC began to survey in-house site cleanup projects to identify where and how staff apply in-situ bioremediation, a process using bacteria to treat contaminants in place. The goal is to generate a database listing sites, site description,

hydrogeology contaminants, contaminant concentration, remediation technology type, and points-of-contact to facilitate appropriate and effective use of this technology.

2. **Soil Vapor Extraction Off-Gas Treatment:** DTSC implemented an agreement with the University of California at Davis to fund a study on technologies for treating vapors and gases from soil vapor extraction wells. DTSC has circulated draft portions of the report for stakeholder review and comment.
3. **Life-Cycle Analysis:** DTSC started work on a life-cycle analysis process to help decision-makers analyze technology alternatives. Life-cycle analysis evaluates the quantities of resources used among alternatives and compares the relative environmental impacts of those options. Staff completed a streamlined life-cycle analysis comparing re-refining used motor oil to using used motor oil as a fuel and concluding that re-refining used motor oil is superior, due to its environmental sources.
4. **Environmental Technology Verifications:**
 - Vegetable oil-based transformer oil. DTSC submitted to U.S. EPA final verification reports and decisions for the ABB, Inc. and Cooper Power Systems vegetable oil-based transformer oil technologies. The evaluation reports and verification statements for both companies should appear on U.S. EPA's Environmental Technology Verification Web site by end of summer 2002.
 - Ion exchange rinsewater recycling. On April 2, U.S. EPA's director of the National Risk Management Laboratory signed the verification statement for the hydromatrix ion exchange rinsewater recycling system. This concludes DTSC's work to verify the ion exchange technology used to reclaim wastewater in operating conditions at an aerospace manufacturer in Torrance. DTSC staff monitored and sampled from the system feed and effluent during five test runs and conducted 320 analyses on the samples collected over the eight-week test period.
5. **Office of Environmental Technology (CalCert) Transition:** DTSC completed the transfer of responsibilities of the Office of Environmental Technology to coordinate the CalCert program. The transfer eliminated several functions that were determined not to be cost-effective, and transferred others from the Air Resources Board to DTSC.
6. **Environmental Technology Acceptance and Reciprocity Partnership (eTARP):** Cal/EPA participates in a seven-state partnership to develop mutually accepted test protocols, share information, and promote environmental technologies. Those responsibilities transferred from the Cal/EPA Office of Environmental Technology to DTSC.
7. **Interstate Technology and Regulatory Council (ITRC):** DTSC is an active participant in this council. The ITRC work group offers State regulators the only forum in this country for collective learning about new and innovative technologies. This work group now includes 40 states. DTSC helped conduct Internet-based training for 400 people during separate sessions

on two different technology topics. Staff also helped organize a two-day ITRC classroom training event scheduled to be offered in California during the second half of this year.

Priorities

1. **Soil Vapor Extraction Off-Gas Treatment:** DTSC will continue to oversee the contract with the University of California at Davis to identify, review, and assess applicable vapor-phase treatment technologies. The results of the study and guidance will be available to the public on the UC Davis Web site by the end of the year.
2. **Environmental Technology Verifications:**
 - Lithium meta-tungstate. DTSC will complete the verification report on lithium meta-tungstate, a dense aqueous salt solution that can replace the use of hazardous halogenated solvents currently used for mineral separation tests.
 - Hydromatrix ion exchange column regeneration system. After evaluating and responding to public comments, DTSC will publish the decision on the hydromatrix ion exchange column regeneration system in the California Regulatory Register and certify it.
 - Onboard Oil Management System. DTSC will complete the test plan, testing, and evaluation for the second PuraDYN re-certification in fall 2002. PuraDYN's onboard oil management system is a bypass engine oil filtration system that extends the intervals between oil changes, reducing the need for new oil and radically lowering the generation of waste oil. The system has been used successfully to reduce (and in some instances, eliminate) engine oil changes in gas and diesel trucks.
 - Benthic Flux Sampling Device. DTSC will complete an evaluation of the Navy's Benthic Flux Sampling Device for determining the flux of polycyclic aromatic hydrocarbons into or out of marine sediments.

External Affairs

Being accessible, accountable, relevant, and responsive are crucial elements to public service. DTSC prioritizes these qualities in communicating with citizens, regulated businesses, community groups, media, and other government agencies. The Office of External Affairs is an umbrella organization for public participation, public information, education and outreach, environmental justice, and Web site coordination.

Cal/EPA Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

Cal/EPA Goal 5: Reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

DTSC Strategic Objectives:

Strive for the broadest possible public involvement in site and facility decisions.

Ensure that the broadest range of environmental information is understandable, available, accessible, and useful.

Reduce or eliminate disproportionate effects of pollution on low-income and minority populations.

Public Participation

DTSC's public participation program is nationally recognized as the most proactive example of its type for citizen involvement. The public participation branch engages the citizens impacted by contaminated property and gives them a meaningful voice in the cleanup process. Public participation specialists give the public the opportunity to become informed and to participate in DTSC's decision-making processes.

Accomplishments

1. DTSC's public participation branch conducted 26 community assessments and developed five public participation plans that identified community concerns around high priority projects, including school site investigations and cleanups, military bases, and permitted facilities. These assessments and plans outlined unique community information needs so that DTSC could be more responsive.
2. DTSC developed and distributed more than 40 fact sheets, keeping community members, local elected officials, environmental groups, and others informed about DTSC activities.
3. In order to involve the public and solicit input on pending decisions, public participation staff attended, facilitated, or organized 130 meetings and briefings with elected officials, community groups, residents, and others. DTSC held these meetings within the affected communities to increase accessibility of the public to decision-makers.

Priorities

1. Ensure consistency in public participation processes and documents at school site investigations and remediation projects throughout the State.
2. Strive for continuous improvement in achieving broader public involvement and creating innovative strategies for public involvement in facility decision-making.

Public Information

DTSC's public information office coordinates all contact with news media representatives by responding to inquiries, conducting interviews, issuing news releases, and submitting opinion articles for the purpose of clarifying DTSC's goals and objectives. The public information office is also responsible for ensuring that DTSC's records are appropriately available to the public by overseeing our responses to Public Records Act requests.

Accomplishments

1. Planned and conducted site-specific “media days” at ten sites to provide local reporters with background information and opportunities for interviews on subjects that are scientifically complex.
2. Developed the prototype report that merges the strategic plans with the biannual reporting. This bridges the gap between the work the public information office performs on a day-to-day basis and the blueprint of DTSC’s goals and objectives.

Priorities

1. Develop the DTSC Web site to provide background information to accompany DTSC news releases to give reporters a better resource for developing accurate background on their DTSC stories.
2. Conduct 15 “site-specific” media days at selected DTSC sites to assist the reporters with hands-on information about the sites that are often covered by the media.

Education and Outreach

DTSC’s education and outreach program organizes educational events and distributes environmental education materials to school districts, teachers, parents, students, and the environmental industry. It oversees DTSC’s mentor program, involving orientation, training, and performance measurements. The education and outreach program manages the material that is placed on DTSC’s Web site, and oversees the unit’s newest program, environmental justice.

Accomplishments

1. DTSC proactively organized the annual Earth Day event held in the Cal/EPA Building. The event attracted more than 250 school-age children to environmental exhibits and displays designed to engage children in learning how to be ecologically smart.
2. Staff developed a broader-base mentor program that engages all six regional offices in recruiting, screening, and training of employees to volunteer their time with a child to make a difference in his or her life.
3. Staff further developed the DTSC Web site to offer increasing amounts of education and awareness to reach an ever-increasing audience of stakeholders.

Priorities

1. Build on the success of Earth Day 2002 by increasing the quality of the exhibits and setting the bar higher, relative to engaging children of all ages in discovering and exploring the legacy of their environment. Implement training and development of mentors and design an instrument to effectively evaluate the mentor/mentee relationship success.

Environmental Justice

The environmental justice program is the newest addition to the external affairs office. Its focus is to identify, assess, and resolve environmental justice issues and involve communities in the decision-making process.

Accomplishments

1. DTSC released a draft environmental justice policy, translated it into Spanish, and is soliciting comments from constituents to gain insight from its stakeholders as to how the policy will impact them.
2. Staff established a link for environmental justice on DTSC's Web site so that a greater audience may learn and be educated about the issue.
3. DTSC's staff actively participated with the Cal/EPA training team and provided environmental justice awareness training to DTSC employees. The environmental justice training calendar dates and online registration are available through the DTSC Web site.

Priorities

1. Staff will continue to collaborate with Cal/EPA, DTSC constituents, U.S. EPA Region 9, and others to develop an effective outreach program to communities to help shape DTSC's environmental justice strategy.

Information Technology and the Internet

Having a stable and reliable information technology platform is essential to DTSC conducting its regulatory activities in the most efficient and effective way possible. Further, DTSC's constituents increasingly rely on the Internet to get information and to conduct transactions.

Cal/EPA Goal 7: Continuous improvement and application of science and technology.

Cal/EPA Goal 8: An efficient and effective Cal/EPA in pursuit of its mission.

DTSC Strategic Objectives

Ensure the broadest range of environmental information is understandable, available, accessible, and useful.

Support program staff with appropriate, well-communicated administrative services.

Understand, anticipate, and meet program needs for space, equipment, training, and information.

Accomplishments

1. **E-Government-Compliant Web Site:** DTSC continued expanding its Web site to provide the regulated community and other stakeholders with opportunities to conduct various transactions electronically. A searchable transporters database on the site provides access to information to assist hazardous waste handlers. Interested parties can now access site-specific

information on the site mitigation and brownfields reuse program database, also known as CalSites. DTSC also used its Web site to register hazardous waste transporter drivers, supporting a hazardous waste management anti-terrorism initiative.

Priorities

1. **E-Government:** DTSC will launch its first e-government application on July 1. The hazardous waste tracking system is Web-enabled and browser-based. It will allow the regulated community to electronically file manifests rather than mail in paper forms. It will also have a data warehouse that will allow the regulated community and the public to conduct online searches.
2. **Regulatory Databases:** DTSC will complete and deploy new databases for the inspections, enforcement, complaints, and permitting programs. All of these new applications will replace older mainframe-based applications. The new applications will be fully integrated with the hazardous waste tracking system to provide DTSC with a single integrated regulatory database to streamline and make the system more efficient for all users.

Terrorist Response and Disaster Preparedness

DTSC has existing emergency response responsibilities, regulatory authority, and a staff of scientists with expertise to address the statewide response to the threat of terrorism.

DTSC Strategic Objectives

Monitor California's hazardous waste storage, treatment, and landfill capacity to manage all its hazardous waste in a safe and efficient manner.

Understand, anticipate, and meet program needs for space, equipment, training, and information.

Accomplishments

1. **Manifest Discrepancies Regulations:** The DTSC hazardous waste management program produced the first set of regulations in the State dealing with anti-terrorism after September 11, 2001, when it promulgated emergency regulations governing the reporting of hazardous waste manifest discrepancies. Under the new provisions, hazardous waste facilities receiving wastes from off-site locations are required to report unresolved priority manifest discrepancies to DTSC within 24 hours by calling DTSC. Additionally, the facilities are required to follow up by submitting a written notification within five days after discovery of the unresolved priority discrepancy. The regulations, which became effective April 4, implement more stringent requirements for the reporting of manifest discrepancies involving wastes that hold potential for uses as weapons of terror. The new requirement applies to wastes that are explosive or poisonous, classified as U.S. Department of Transportation hazard divisions 1.1 through 1.6, and hazard division 6.1. DTSC has notified U.S. EPA that these regulations are in effect and has suggested that similar amendments be made to the corresponding federal regulations.

2. **Transporter Driver Information:** The DTSC hazardous waste management program required all registered hazardous waste transporters to submit the names of all drivers under their employ. DTSC used its Web site to register these hazardous waste transporter drivers, simplifying the effort for the transporters and facilitating data collection and processing.
3. **Chemical Terrorism:** The DTSC science, pollution prevention, and technology program staff participated with laboratories of the Department of Health Services in a chemical terrorism exercise to test protocols for the analysis of chemical terrorism samples.
4. **Disaster Preparedness Plans:** DTSC adapted the standardized emergency management system for use in its office disaster preparedness plans. Regional office staff throughout the state attended a one-day mandatory training during April and May, during which DTSC trainers described the local plan templates, facilitated staff selection to response roles and key emergency leadership positions, and charted out the full implementation of the local plans. DTSC regional offices are now equipped to respond to anything in the event of an emergency.

Priorities

1. **Disaster Preparedness Plans:** DTSC will continue to fully implement its disaster response plans in the regional offices by conducting site-specific hazard assessments, procuring equipment and supplies, and exercising elements of the plan in an ever-increasing effort to be prepared for nearly any disaster.

**CALIFORNIA INTEGRATED WASTE
MANAGEMENT BOARD**

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

The mission of the California Integrated Waste Management Board (CIWMB) is to reduce waste, promote the management of all materials to their highest and best use, and protect public health and safety and the environment, in partnership with all Californians.

The CIWMB developed the following strategic goals within the context of Cal/EPA's Strategic Vision. The board supports and actively seeks to implement the goals and objectives included in the vision.

CIWMB Goal 1: Promote environmentally sound and financially viable waste prevention and materials management practices among all actors in the life cycle of products and services. The intent of this goal is to promote waste prevention, product stewardship, and resource conservation practices. It supports the following objectives in Cal/EPA's Strategic Vision goals 6 and 8: creating a plan for a sustainable California; encouraging personal and corporate responsibility through increased education and outreach; promoting the implementation of environmental management systems; and developing and using meaningful environmental performance indicators.

CIWMB Goal 2: Assist in the creation and expansion of sustainable markets to support diversion efforts and ensure that diverted materials return to the economic mainstream. This goal is directly tied to Cal/EPA's vision of preventing pollution and developing a sustainable California by returning valuable materials into the economic mainstream rather than wasting them in landfills. CIWMB efforts in this area support the objectives under Cal/EPA goals 1–3 and 5–8 as follows: promoting a green California State government; promoting commercialization and use of effective practices, products, and technologies that benefit the environment; tackling cross-media air, water and energy issues; and encouraging personal and corporate responsibility.

CIWMB Goal 3: Educate the public to better understand and participate in resource conservation and integrated waste management strategies. CIWMB activities under this goal support goal 8 of the Cal/EPA vision by focusing on expanding accessibility of information to the public through the Internet and expanding communication and training efforts.

CIWMB Goal 4: Manage and mitigate the impacts of solid waste on public health and safety and the environment and promote integrated and consistent permitting, inspection, and enforcement efforts. This goal supports Cal/EPA goals 4–5 and 7–8 by ensuring compliance with the law; defining and building the CIWMB's approach to integrated permitting, inspection, and enforcement; expanding components for education, outreach and assistance; increasing efforts to prevent or clean up pollution from inactive, illegal, or abandoned sites; building a higher level of technology and science-based decision; and working to ensure that communities are free from unacceptable human health and ecological risks.

CIWMB Goal 5: Improve the efficiency and effectiveness of the California Integrated Waste Management Board in pursuit of its mission. This goal supports Cal/EPA's vision through goal 8 by focusing on leadership, innovative information management, and organizational management, as well as cross-media and cross-organizational communication and collaboration.

CIWMB Goal 6: Continuously integrate environmental justice concerns into all of the CIWMB's programs and activities, including administrative and budgetary decisions. CIWMB activities in this area support Cal/EPA's goal 6 through participation in Cal/EPA's environmental justice internal advisory group and the staff-level working group. The board is also assessing its programs and activities to devise a strategy to address environmental justice issues, and to incorporate input from all affected stakeholders, communities, and interested parties.

CIWMB Goal 7: Promote a "zero-waste California" where the public, industry, and government strive to reduce, reuse, or recycle all municipal solid waste materials back into nature or the marketplace in a manner that protects human health and the environment and honors the principles of California's Integrated Waste Management Act. This goal supports Cal/EPA goals 4-8, including promoting the development, commercialization, and use of effective environmental techniques and technologies; ensuring environmental impacts for all media are considered in environmental policy and management decisions; creating a plan for a sustainable California; and expanding and improving cross-media communication and collaboration.

Energy

In light of California's ever-demanding energy situation, the CIWMB has targeted conversion technologies as a mechanism that will not only reduce the overall volume of unused organic materials sent to local landfills, but also provide a new source of fuel for generating electricity in California. This increase in energy production and the development of other emerging technologies and landfill-to-gas generation will aid in California's energy diversification goals.

Cal/EPA Goal 6: Ensure the efficient use of natural resources.

Cal/EPA Goal 7: Continuous improvement and application of science and technology.

Cal/EPA Goal 8: An efficient and effective Cal/EPA in pursuit of its mission.

Accomplishments

1. **Conversion Technologies:** (Non-combustion processes that can convert post-recycled solid waste residuals into energy, alternative fuels, and other products.) In response to the CIWMB direction in May 2001 to initiate a number of efforts to encourage conversion technology development, staff completed the following tasks:
 - Conducted public workshops in January and March on regulatory, definitional, and diversion credit issues related to conversion technologies.
 - Presented agenda items to the Board in February and April on regulatory, definitional, and diversion credit issues related to conversion technologies. At the April board

meeting, the board 1) adopted policy recommendations on a definition of conversion, 2) findings under which local jurisdictions can receive diversion credit for sending materials to conversion facilities, and 3) a 10 percent limit on such diversion credit. These recommendations were subsequently used to amend AB 2770, the administration-sponsored bill on conversion technologies. Authored by Assembly Member Matthews and co-authored by Assembly Member Bogh, as of June 30 this bill was in the Senate Environmental Quality Committee.

- Initiated a contract with UC Davis to begin identifying and evaluating conversion technologies.
- Initiated an agreement with the Office of Environmental Health Hazard Assessment to analyze risks associated with known emissions from conversion facilities.
- Initiated internal discussions on timelines and tasks associated with a rulemaking on the permitting of conversion technologies.
- Continued discussing an interagency working group with appropriate agencies.
- Participated in the Governor's Office of Planning and Research renewable energy financing team discussions.
- Provided assistance on financing opportunities and permitting issues to several project proponents.

Priorities

1. **Conversion Technologies:** Staff will continue implementing board members' direction through activities such as:
 - If AB 2770 is enacted it would provide a definition for conversion technologies and establish a program to research and evaluate these exciting new waste handling technologies. Staff is ready to begin planning for implementation of provisions when legislation becomes effective January 1, 2003. This would include planning for the grant program, additional research on technologies and emissions and on lifecycle costs and benefits, and establishment of the interagency task force.
 - Conducting the workshop and vendor show at WASTECON, the national conference of the Solid Waste Association of North America, in Long Beach in October.
 - Conducting the workshop on conversion technology-related environmental issues at the California Resource Recovery Association annual meeting in July.
 - Continuing to work with the Governor's Office of Planning and Research on renewable energy and alternative fuel production financing opportunities.
 - Continuing to assist project proponents on financing and permitting issues.

- Conducting informal workshops on the rulemaking on permitting of conversion technologies.

Cross-Media Initiatives

Historically, federal, State, and local environmental agencies have been organized on the basis of a single environmental medium—such as air, water, and land. By fostering cross-media coordination, we can pioneer innovative solutions and reap long-term benefits for the environment. By partnering with local government, private businesses, and product manufacturers, we can further promote and exercise product stewardship, address environmental justice, minimize pollution and waste generation, and safely manage unavoidable discards.

Cal/EPA Goals 7 and 8

Accomplishments

1. **E-Waste and Product Stewardship:** CIWMB staff, in coordination with a contractor, Boisson & Associates, developed detailed background material and gathered data through a survey mechanism and two full-day workshops for local governments. The goal was to compile recommendations for California's participation in the National Electronics Product Stewardship Initiative (NEPSI). This information has been posted on the Electronics Product Management Web site (www.ciwmb.ca.gov/Electronics/). Through this effort the CIWMB solicited input from local government and State agency stakeholders related to their costs and concerns regarding e-waste management. The CIWMB also continued its collection of information on electronic equipment reuse and recycling organizations to augment the data already in the materials collection database. Staff coordinated the presentation of this information with DTSC in light of new facility regulations.
2. **Electric Mulching Mower Rebates:** The CIWMB provided \$50,000 in an interagency agreement with the Air Resources Board (ARB) to fund electric mulching mower rebate programs in participating jurisdictions throughout the state. Electric mulching mower rebate programs help reduce the generation of grass clippings and air emissions. In spring 2002, mower trade-in events were held in San Diego, the Central Valley (Stockton, Merced, and Visalia), and the San Francisco Bay Area (Pittsburg, San Ramon, Napa, Sunnyvale, Vacaville, and Rohnert Park). More than 3,500 people attended the events, and more than 2,500 purchased electric mulching mowers. Participants exchanged more than 2600 gas-powered mowers, and the programs collected and recycled more than 90 tons of metal and 119 gallons of used oil and gasoline.
3. **Nonpoint Source Pollution:** Nonpoint source pollution of surface and groundwaters remains one of the most challenging environmental problems in the state. The CIWMB has promoted sustainable landscaping and agricultural practices that accomplish multiple cross-media objectives, including landfill diversion, increased efficiency of water use, erosion control, and decreased runoff.

- Completed reports on two board-sponsored projects on the use of mulch in hillside vineyard erosion control and submitted the reports for final publication.
 - Chose partners in the Napa River watershed to assist in applying for Clean Water Act Section 319 funding for follow-up research on the efficacy of mulch in controlling erosion and reducing water use in vineyards.
 - The North Natomas Landscape Management Outreach Program is funded by a \$50,000 Pollution Prevention Incentives for States (PPIS) grant from the U.S. EPA. This project became operational with the CIWMB acting as the fiscal agent and manager for a three-year stormwater pollution prevention campaign that is being conducted in partnership with the City of Sacramento. A plant species guideline was developed—in conjunction with several local horticultural experts—outlining water requirements, minimum spacing intervals, growth rates, size at maturity, and other horticultural features for trees, shrubs, vines, and ground covers that are suitable for planting in the city’s newly developing North Natomas area. Use of these guidelines—when builders are developing landscapes for this new community—will help reduce pollution from the excessive use of toxic pesticides and fertilizers, minimize over-watering, and reduce the generation of green waste.
4. **Landscape Management Outreach Programs:** The board continued funding projects that promote the adoption and use of resource-efficient landscaping practices to the professional landscape industry, including:
- Working in partnership with local government in the San Francisco Bay Area and San Joaquin Delta to conduct outreach activities that help reduce green waste generation, conserve water, and minimize nonpoint source pollution from local urban landscapes.
 - Exhibiting at the Sacramento Valley Landscape and Nursery Expo held at the Sacramento Convention Center and the Northern California Turf and Landscape Council held in Santa Clara during January, and the Landscape Industry Show sponsored by the California Landscape Contractors Association and held in Long Beach in February.
 - Developing and printing 4,000 copies of a new publication, “A Landscapers Guide to Mulch,” in conjunction with agencies in Alameda County. This guide outlines various major uses, preferred characteristics, application instructions, and buying tips for mulches made from urban-derived woody green waste materials.
5. **Environmental Justice:** The CIWMB supported environmental justice by requiring grant applicants for competitive used oil opportunity and household hazardous waste grants to self-certify compliance with environmental justice principles. Also, the CIWMB awarded preference points to those applicants who proposed to target underrepresented groups for grant-funded activities or programs.
6. **Landfill Study:** CIWMB’s contractor, GeoSyntec Consultants, completed task 1 of the study—a checklist of federal, State, and local environmental regulatory requirements. The

final checklist was posted on the CIWMB Web site on May 1. An initial draft of task 2, a comprehensive, cross-media inventory of more than 240 municipal solid waste (MSW) landfills, was completed by the contractor. It is currently undergoing extensive review by landfill owners/operators and regulators to verify the information contained in the database before being posted on the CIWMB Web site. For task 6, the contractor identified the states and countries whose MSW landfill regulations will be evaluated for possible use as California develops and considers potential improvements to California's multimedia regulations. The list of states and countries also was posted on the CIWMB Web site on May 1. For task 7, the contractor completed an initial list of emerging technologies that could, if applied, improve California's multimedia regulations of MSW landfills.

Priorities

1. **E-Waste and Product Stewardship:** The CIWMB will continue to represent State and local interests in negotiations coordinated by the National Electronics Product Stewardship Initiative (NEPSI) for a system to finance the economically and environmentally sound end-of-life management of electronic products. The CIWMB will also monitor pending legislation (SB 1523, Sher; and AB 1619, Romero) that would establish a fee on all cathode ray tubes (CRT) sold in the state, and work with stakeholders to develop funding for the infrastructure to collect and distribute fees collected to improve CRT recovery and recycling.
2. **Nonpoint Source Pollution:**
 - The CIWMB will publish two reports on hillside vineyard erosion control and disseminate the findings to vineyard operators and local governments statewide.
 - It will also continue to coordinate with the State Water Resources Control Board to complete the State's nonpoint source pollution plan; seeking funding for related erosion control, biosolids, and manure management projects; and implementing the new PPIS grant in partnership with the City of Sacramento.
 - Begin assisting partners in implementing the Napa River Watershed project, if the SWRCB funds the project.
 - CIWMB staff from the North Natomas landscape management outreach program will present the plant species guidelines to the Sacramento City Council for formal adoption. Staff will also develop and conduct a stormwater pollution prevention educational outreach campaign for homeowners and professional landscapers in the North Natomas area to reduce the excessive use of toxic pesticides and chemical fertilizers, eliminate overwatering, and minimize green waste generation.
3. **Landscape Management Outreach Programs:**
 - Conduct a green landscaper certification program for members of the professional landscape industry in partnership with the local jurisdictions in the San Francisco Bay Area counties of Alameda, Contra Costa, and Santa Clara.

- Conduct a compost tea demonstration and education project in conjunction with San Francisco on city golf courses to reduce the incidence of turfgrass fungal diseases. The goal is to control these diseases without using toxic chemicals that have been banned from use on municipal landscapes by San Francisco.
 - Exhibit at landscape industry trade shows sponsored by the Southern California Turfgrass Council at the Pomona Fairgrounds in October and Orange County in December to promote the use of resource-efficient landscape management practices in urban landscapes.
4. **Stormwater Pilot Program:** As directed by the board, staff will research methods and programs to cost-effectively use block grant and opportunity grant monies to collect and recycle or dispose of oil and oil byproducts from stormwater without compromising “core” used oil collection and recycling efforts. Staff will review specifications and existing literature on stormwater cleanup devices and programs. Staff will consider the feasibility of using oil fund monies to supplement this research and to fund pilot programs in Northern and Southern California to evaluate performance criteria and cost effectiveness. This information will be used to establish criteria for subsequent competitive grant awards and refine requirements for use of block grant monies for stormwater-related devices and programs.
 5. **Environmental Justice:** The CIWMB used oil block grant award scheduled for July will include a requirement that local government recipients of grant awards must comply with environmental justice principles.
 6. **Landfill Study:** CIWMB’s contractor, Geosyntec Consultants, continues to work on the landfill study. Upcoming work includes completing the task 2 comprehensive inventory of more than 240 MSW landfills and posting the database on the CIWMB Web site. Completing the task 3 assessment of current MSW landfill performance and distributing a draft report of the findings for review and comment sometime in July. Completing the assessment of current state regulatory effectiveness in protecting the environment for the short- and long- terms by gathering detailed data on more than 50 MSW landfills (task 4) and analyzing the detailed data to assess regulatory effectiveness over time (task 5). Completing the task 6 evaluation MSW regulations of other states and countries for possible improvement to California’s regulations, and the task 7 analysis of emerging technologies that could possibly improve California’s regulatory program.

Loans/Grants

CIWMB uses a variety of funding opportunities to assist public and private entities in the safe and effective management of the waste stream. Grant and loan programs support public education; waste reduction; market development; load checking; and household hazardous waste or special waste collection, recycling, and reuse projects.

Cal/EPA Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

Cal/EPA Goals 7 and 8

Accomplishments

1. **Recycling Market Development Zone (RMDZ) Loans:** In June, the board approved a \$2 million loan to Chamlian Enterprises, Inc. (DBA Chamlian Textiles) for an expansion of the company's textile recycling business. Chamlian will use the loan proceeds to purchase new textile recycling equipment, creating 40 new jobs and increasing its diversion 30 percent to an estimated 26,000 tons per year. CIWMB also awarded a contract to a commercial loan-servicing firm to manage and collect the outstanding RMDZ loan portfolios.
2. **Used Oil Opportunity Grants:** In April, the CIWMB awarded \$5.1 million to 18 jurisdictions in the fiscal year 2001–02 grant cycle. Local governments will use the funds to implement used oil and filter collection and recycling programs.
3. **Park Playground Accessibility and Recycling Grants:** In January the CIWMB awarded 57 grants totaling more than \$2.5 million to municipalities under the second and final cycle of the park playground accessibility and recycling grant program. These grants help local public agencies upgrade playgrounds with recycled-content materials to ensure that playgrounds comply with State regulations and are accessible in accordance with the Americans with Disabilities Act of 1990. Funding for the awards is provided by the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (Villaraigosa-Keeley Act).
4. **School and Park Playground Resurfacing:** In February the CIWMB awarded more than \$1.5 million in grants to schools, colleges, cities, park districts, and tribal agencies for playground resurfacing made from old tires. A total of \$1,520,528 was allocated to fund 41 projects from Del Norte County to San Diego County.
5. **Track and Other Recreational Surfacing:** In February, the CIWMB awarded 15 grants totaling \$954,879 to public entities with facilities open to the general public for surfacing projects using recycled tire materials. In May, as part of the Waste Tire Management Fund reallocation action, the CIWMB approved another 10 grants for \$894,409.
6. **Waste Tire Cleanup and Enforcement:** The CIWMB awarded grants totaling \$837,662 for local waste tire cleanup and enforcement. This included a \$325,000 grant awarded in June to the California District Attorneys Association to support local waste tire enforcement efforts.
7. **Tire Product Commercialization Grants:** The CIWMB, in March, awarded nearly \$2 million in grants for projects to produce new products from old tires. Eight companies received a total of \$2,179,389; they will consume at least 2 million passenger tire equivalents annually.
8. **Reuse Assistance Grants:** The CIWMB awarded eight grants to local governments, through the third cycle of reuse assistance grants, totaling \$313,000. Grantees range from El Dorado County, which works with Habitat for Humanity, to Kern County, which conducts innovative electronic product recovery and reuse with the Merit Corporation. The Merit Corporation is a nonprofit vocational training enterprise that employs correctional facilities residents. Reuse

grants expand the state's capacity to divert materials from disposal and improve local economies. Full information on the grants and all past recipients can be found at the Reuse Web site (www.ciwmb.ca.gov/Reuse/).

Priorities

1. **Enforcement Assistance Grants:** The enforcement assistance grant program will continue to provide \$1.5 million each fiscal year to local enforcement agencies to assist with enforcement program implementation.
2. **Household Hazardous Waste Grants:** The fiscal year 2002–03 grant cycle will be presented for award at the August CIWMB meeting. Program staff will seek board approval to award \$3 million in grants. General criteria include local government need for a specific project(s), methodology, evidence of a recycled-content purchasing policy, adherence to the principles of environmental justice, and a detailed budget. Program scoring criteria emphasizes HHW collection in rural areas, or small cities, and underserved populations. Additional program scoring criteria emphasizes expansion of existing programs to initiate new HHW programs to include electronic waste (e-waste) collection and universal waste (u-waste) or paint.
3. **Used Oil Block Grants:** The fiscal year 2002–03 block grant will be awarded at the July CIWMB meeting. More than \$15 million dollars will be available to jurisdictions to implement used oil and filter collection programs. This grant is non-competitive and available to all California cities and counties based on population. A new eligible cost is for stormwater mitigation activities.
4. **RMDZ Loans:** Approximately \$6.5 million is expected to be available in the board's fiscal year 2002–03 budget, pending its approval. With assistance from a contractor, staff will identify the best leveraging options to secure long-term funding for the RMDZ loan program. Once identified, staff will take immediate steps to implement these options. CIWMB will focus on funding additional loans for recycling businesses.

Site Cleanup

Cleaning up and preventing the illegal disposal of municipal solid wastes and tires is a continuing challenge for local government. Board-funded cleanup and enforcement grants provide additional resources for cities and counties to remove threats to public health, safety, and the environment created by illegal sites in urban and rural areas across California.

Cal/EPA Goal 4

Cal/EPA Goal 5: Reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

Cal/EPA Goal 8

Accomplishments

1. **Solid Waste Site Cleanup Program:** The largest known legacy illegal dumpsites in the environmentally sensitive Southern California desert area have been cleaned up by the CIWMB solid waste cleanup program contractors. These cleanups were conducted under an innovative and cooperative cost-sharing agreement with federal and local agencies. Another innovative cleanup project was completed in partnership with the Table Bluff Indian Tribe in Humboldt County. The board approved six new projects totaling \$2.5 million. These projects included the following: 1) \$550,000 for matching grants to the cities of Los Angeles and Huntington Beach for trash cleanup projects related to total maximum daily loads, 2) \$1.35 million for burn dump cleanups including the complex Quince Street matching grant project in San Diego and the CIWMB-managed Shafter project in Kern County, and 3) a CIWMB-managed cleanup of an illegal disposal site near Santa Maria in Santa Barbara County.

Priorities

1. **Closed, Illegal, and Abandoned Sites:** Continue to complete priority investigations of closed, illegal, and abandoned disposal site for transfer to enforcement phase work and, if appropriate, referral for cleanup through the solid waste cleanup program.
2. **Farm and Ranch Cleanup Grant Program:** CIWMB will continue outreach and project development for new solid waste cleanup program and farm and ranch grant program cleanup projects.

Integrated Education

By providing curricula and hands-on training workshops to teachers on the topic of waste prevention, CIWMB is committed to creating environmentally literate students/citizens who are able to understand and balance economic interests and environmental sustainability. Promoting educational partnerships at the local level—and teaching respect for the environment and the value of conserving natural resources—are accomplished within the context of the California State education standards for grades K–12.

Cal/EPA Goal 8

Accomplishments

1. **Border Education:** CIWMB is overseeing development of an anthology of environmental issues identified as priorities by an advisory group of teachers from Mexico. The first unit on natural resources has been written and will be field-tested in early 2002. A firm has been selected to translate the lessons from English to Spanish. Upon completion of the anthology, a teacher-training workshop will be held to introduce and distribute a final product to Mexico's teachers.

2. **MOU on Environmental Education:** A memorandum of understanding (MOU) for environmental education was developed and signed at a ceremony in Tijuana by Secretary Winston Hickox and Board Chair Linda Moulton-Patterson.
3. **Statewide Strategic Plan for Environmental Education:** Twelve listening sessions and follow-up reports from each session have been completed. The State plan, "Education and the Environment: Strategic Initiatives for Enhancing Education in California," was published in May by the California Department of Education.
4. **K-12 Alliance Partnership:** As of July, this partnership resulted in the training of 43 new facilitators who will teach *Earth Resources—A Case Study: Oil*. Through the K-12 Alliance Partnership, these facilitators trained 586 educators statewide in this grade 6–12 curriculum.

Priorities

1. **California Science Teachers Association (CSTA) Partnership:** The primary goal of the curricular-based composting unit is to provide 6th-grade students inquiry-type activities in order to discover how composting occurs. Students can then begin to practice composting at school or vermicomposting in the classroom. Field-testing is underway by classroom teachers and comments are being processed. When the units have been completed, the CSTA will format and place the resources on the CSTA Web site and provide the material to CIWMB for publishing on its school-related Web pages.
2. **Environmental Education:** SB 373 (Torlakson, Chapter 926, Statutes of 2001) has many different components that need to be melded into a cohesive multifaceted program. Therefore, intense planning and research is necessary before any one element can be implemented. The project consultants have conducted an educators' needs assessment survey. The survey results have been tabulated and an analysis completed. One meeting each with the executive advisory committee and the steering committee took place in May. Each committee provided comments and input. A focus group with teachers was held in June. The project team is developing a detailed work plan that identifies roles, responsibilities, and a timeline for completion of the project deliverables. The work plan will be carried out in the remainder of 2002 and early 2003. It is anticipated that funding for projects that will be conducted by schools, schools districts, and office of education will be made available in FY 2002–03.
3. **Cal/EPA Integrated Education Effort:** To achieve the unified education strategy contained in SB 373, the Office of Integrated Education will align the education efforts of Cal/EPA's boards, departments, and offices into an integrated, cohesive education program. The boards, departments, and offices of Cal/EPA are participants on the steering committee for implementation of SB 373 mandates. The most significant attribute of a unified education strategy on the environment for K–12 is an integrated systems approach to our educational offerings. We hope to accomplish this by having active participation and input by each Cal/EPA board, department, and office.

A related but separate effort is underway to develop a one-stop-shop Web page for education-related resources available within Cal/EPA. Taking the Cal/EPA Enforcement home page as a

model, the office is spearheading this effort. Staff hopes to create a page that will benefit educators and encourage them to use the environment as a means to teach the standards and subject areas that they are required to cover for each grade.

Waste Diversion/Waste Prevention

By conserving resources through waste prevention, reuse, and recycling, local jurisdictions are closing in on California's 50 percent diversion goal. CIWMB is a leader in this effort, providing training and technical assistance, introducing model programs for food management and composting, and disseminating tips on source reduction to State agencies and businesses. CIWMB is also encouraging incentives for "green" development and a sustainable future in California.

Cal/EPA Goals 6, 7, and 8

Accomplishments

1. **Food Scrap Management:** Staff drafted a series of fact sheets on food donation, composting food at special events, descriptions of in-vessel technologies, animal feed, and a general food scrap management fact sheet. These fact sheets will be available for distribution at trade shows and special events.
 - Staff continued education outreach through booths and presentations at events such as the *Biocycle* magazine conference in San Francisco, the Specialty Coffee Association of America conference, and the Humboldt County Compost Festival.
 - The Office of Public Affairs completed a video showcasing the successful food scrap diversion program at the Indian Wells tennis complex.
2. **Annual Business Waste Reduction Recognition Kicks off 10th Anniversary Cycle:** The CIWMB-administered Waste Reduction Awards Program, better known as WRAP, entered into its tenth year in 2002. The WRAP program recognizes the immense voluntary efforts private businesses make to local waste diversion goals. Building on a record-setting year in 2001, the WRAP program stepped up its use of the Internet to reach and assist potential participants, providing several formats of the 2002 application along with a comprehensive resource guide through the program's Web site. This year's revised application emphasizes qualitative information that will support the CIWMB's efforts to showcase outstanding examples of business resource efficiency. The award application cycle runs from April 1 through June 30, with winners announced in conjunction with Pollution Prevention Week in September.
3. **Compost/Mulch Source List:** The annual update to this list identifies businesses that market organic material products in California. Applications were mailed to 260 established businesses requesting current and accurate information about primary distribution points for their products, feedstock used, annual production, and products available. The list enables potential buyers of bulk organic materials to search by county or region.

4. **Biennial Review of Jurisdictions' Progress in Implementing Diversion Programs and Time Extensions for Local Diversion Programs:** A total of 86 1999–2000 biennial reviews have been completed. The board has approved 9 applications for consideration of good faith effort in meeting the diversion requirements. In addition, the board has approved 14 time extensions and 2 alternative diversion requirements as allowed under SB 1066 (Sher, Chapter 672, Statutes of 1997). The board is making a concerted effort to gain recognition for jurisdictions meeting the 50 percent waste diversion requirement of Public Resources Code 41790. A listing of these jurisdictions is being maintained in the board's Press Room Web site at www.ciwmb.ca.gov/PressRoom/Resources/DivRates.htm.
5. **Completion of SB 2202 Report:** Recommendations from the SB 2202 (Sher, Chapter 740, Statutes of 2000) working groups on improving the diversion rate measurement system, along with recommendations, were completed in April.
6. **Trash Cutter Awards:** The awards recognize local government for outstanding waste reduction efforts. The fourth cycle of awards was presented in conjunction with the board's regular business meeting in May. Six different local jurisdictions received a total of nine awards in the categories of creative partnerships, innovation, organics management, public information regional waste reduction, schools, urban waste reduction, and waste prevention.
7. **Implementation of State Agency Diversion Program:** During the last six months board staff focused on a greater level of outreach services to State entities by providing technical assistance and training to help them meet the 25 percent and 50 percent mandated goals. The Office of Public Affairs assisted the program with the production of a training video. To date these efforts have proven to be very effective with State agencies and facilities reporting higher than expected diversion within their annual reports. The CIWMB Web-based reporting capability for the mandated annual report was very successful with almost 95 percent of agencies and facilities accessing the system.
8. **State Agency Recycling Recognition (STARR) Awards:** The first ever STARR Awards were presented in April to recognize State agencies and facilities for outstanding waste diversion efforts. The board presented three State agencies/facilities with a total of four awards in the categories of innovation, recycling, waste reduction at high-volume sites, and education/training. In addition, a STARR of the Year Award was presented to the 22nd District Agricultural Association (Del Mar Fairgrounds), the State agency/facility that demonstrated waste reduction practices above and beyond those of the other applicants and served as an exemplary model for other State agencies/facilities.
9. **Establishment of CIWMB Long Beach Office:** The CIWMB has established a permanent office in Long Beach to serve Southern California. The office is with the City of Long Beach's waste management programs.

Priorities

1. **Statewide Food Residuals Summit:** A two-day food residual diversion summit is scheduled for October. A wide range of stakeholders will participate, including food industry

association representatives, food industry managers, local government representatives, health officials, food bank managers, composters, renderers, and waste haulers. Attendees will be able to share information and learn about innovative technologies and programs. Pertinent results of this workshop will be disseminated through the Web site and new publications.

2. **Annual Business Waste Reduction Recognition to Honor California's Best in 10th Cycle:** The WRAP awards will honor several hundred California businesses and other private organizations in its tenth year. The 2002 WRAP award winners will be announced in September to coincide with Pollution Prevention Week, and the ten select "WRAP of the Year" winners, annually chosen from the winners-at-large based on outstanding accomplishments, will be announced in November in conjunction with America Recycles Day.
3. **Biennial Review of Jurisdictions' Progress in Implementing Diversion Programs and Time Extensions for Local Diversion Programs:** 95 jurisdictions have indicated that they will be submitting applications for time extensions for meeting the 50 percent diversion requirement and/or alternative diversion requirements, as allowed under SB 1066. An additional 258 jurisdictions reserved the right to submit applications. CIWMB staff is consulting with many others who may also decide to submit applications.
4. **Implementation of SB 2202 Report Recommendations:** The CIWMB will be developing legislative proposals to encourage regional agency formation and to add disposal reporting system enforcement provisions, revising regulations for the disposal reporting system and the adjustment method, and expanding the CIWMB Web site with additional tools and information to improve accuracy.
5. **Electronic Annual Reporting (EAR):** Improvements to the EAR are being made in response to user feedback. Every city and county must report information on waste diversion within its jurisdiction during the previous calendar year. This report includes information about waste diversion programs implemented and discontinued, as well as the annual diversion rate. The EAR system is now widely used for this purpose by local jurisdictions with almost 95 percent of the 449 jurisdictions filing their reports electronically.
6. **Consideration of Jurisdictions' Petitions for New Base Years:** In order to accurately measure waste diversion, many jurisdictions are revising their base years and conducting waste generation studies. To date, the board has approved new base years for 107 jurisdictions, and another 74 are planned to come before the board for consideration. Thirty-four waste generation studies are also planned for board consideration. Staff will continue to provide assistance to those jurisdictions in developing new base year data for adoption by the board.
7. **Rulemaking:** The following rulemaking is in the informal regulations development and review process.
 - Revisions to the disposal reporting system to improve diversion rate accuracy. Formal rulemaking process is expected to start in early 2003.

8. **Implementation of State Agency Diversion Program:** The CIWMB will analyze the annual reports submitted by approximately 83 percent of the reporting agencies and facilities and work with the remaining 17 percent that are still completing their reports. In addition to the internal staff analysis, the CIWMB has entered into an MOU with the State Controller's Office to conduct audits along with board staff. These audits will help staff develop a solid foundation and a consistent review process for the upcoming review of agency and facility compliance with the mandated 25 percent diversion by 2002. The CIWMB will continue to provide technical assistance to State entities to help them meet the diversion goals. Staff is also developing a series of training videos to help State agencies and facilities develop and implement diversion programs. The videos will be viewable on the CIWMB Web site as well as in CD-ROM and VHS video formats. Finally, program staff is beginning to develop the next workshop series tentatively planned for October. The series will assist State agencies and facilities with the annual reporting requirements and describe how audits will be conducted in 2003.

Market Development

Market demand for recycled-content products is essential to the success of recycling and waste reduction programs. The CIWMB market development goals are designed to encourage markets for secondary materials generated in California. Through the efficient collection and processing of recycled materials, along with the commitment from manufacturers to use recycled-content feedstock, the board continues to promote the development of high-quality and value-added recycled-content products (RCP) for the California marketplace.

Cal/EPA Goals 6, 7, and 8

Accomplishments

1. **Organics Regulatory Issues:** The CIWMB is actively engaged in many key regulatory issues related to organic materials management. These include:
 - Sudden oak death. The CIWMB responded to the U.S. Department of Agriculture (USDA) proposed quarantine on the movement of woody materials from counties infested with sudden oak death disease. It coordinated with the California Department of Food and Agriculture (CDFA) in developing draft protocols for USDA consideration that would allow the use of composting (provided it meets Title 14 requirements) as a treatment method for infested material. The CIWMB also worked with CDFA in addressing similar issues for the biomass-to-energy industry. The board approved a contract concept for additional research by the University of California at Berkeley on the efficacy of composting in eliminating the pathogen from infested material.
 - Clopyralid. Continued working with the Department of Pesticide Regulation (DPR) on the issue of clopyralid contamination of compost. This included a joint presentation with the Department at the March board briefing, and a follow-up agenda item at the April meeting. In May, the CIWMB and DPR convened the first meeting of an external

stakeholders advisory committee on clopyralid in compost. CIWMB and DPR also coordinated comments on AB 2356 (Keeley).

- Published a CIWMB-sponsored research study on the use of wood ash to control odor problems at composting facilities.
 - Initiated the formal rulemaking process to amend composting regulations.
2. **Biennial Infrastructure Survey:** The CIWMB awarded the contract for the second survey of California's compost- and mulch-producing industry.
 3. **Nursery Compost Use:** Planned and conducted a panel session on nursery compost use at the March *Biocycle* magazine West Coast conference.
 4. **California Heartland:** Completed sponsorship contract for the sixth season of California Heartland, produced by KVIE-TV (Sacramento public television). As part of contract, KVIE Creative Director Jim O'Connell provided training on targeting media messages to CIWMB staff.
 5. **External Grant Funding Pilot Project:** As part of a pilot program, CIWMB selected partners from local jurisdictions and the business sector to develop grant applications for funding from other State and federal sources. CIWMB assigned staff to work with each selected partner to develop grant applications. A key feature of the program is that the external grant program would award funds directly to the selected partner(s) for a specific project. CIWMB would not be a recipient of grant funds, nor would it be a party to the grant.
 6. **Compost/Mulch Source List:** Identifies businesses that market organic material products in California. The annual update was completed in February 2000 and features 96 suppliers in 33 counties. The updated list was posted on the CIWMB Organics Web site and printed for distribution at trade shows and other events.
 7. **California Compost Quality Council (CCQC):** CIWMB staff worked closely with CCQC to keep its members informed on the issues of clopyralid in compost and sudden oak death and their potential impacts on the compost industry in California. In addition, CCQC is working with the CIWMB to develop recommendations on revisions to the CalTrans compost and mulch standard special provision to allow producers to market more material to CalTrans.
 8. **State Agency Buy Recycled Campaign (SABRC):** The SABRC annual reports have been submitted by State agencies to the board for fiscal year 2000–2001. Preliminary numbers indicate that 115 out of 144 State agencies submitted reports indicating \$260.3 million in total reportable purchases, of which \$216.6 million was spent on recycled-content products. While the ratio of reports submitted has declined from 111 out of 137 in FY 1999–2000, the reported figures have increased dramatically, up from \$210.8 million of total reportable purchases and \$167.2 million of RCP purchases. Annual follow-up letters from the board chair were sent to the heads of each State entity in an effort to bolster reporting for FY 2001–02, which is due September 1.

9. **Recycled Product Trade Show:** The 3rd Annual Recycled Product Trade Show was held April 4 and 5 in Anaheim, California. This was the first two-day show and the first show held in Southern California. It was a great success with more than 112 booth spaces and 1,200 attendees. The feedback from exhibitors and attendees has been very strong. The opening day ribbon-cutting ceremony featured Board chair Linda Moulton-Patterson; Kym Murphy, Senior Vice President, Disney Corporate Environmental Policy; and Mickey Mouse. A video produced by the board's public affairs office will be used to promote the 2003 show.
10. **Plastics "White Paper":** The CIWMB solicited position papers from key stakeholders (environmental organizations, waste management firms, beverage and container manufacturers, and recycling market development zone administrators) and received numerous responses from beverage and container manufacturers. Using this information, along with substantial research and information from the previous issue framing sessions, the board held a workshop on June 24–25, 2002, to objectively present facts and develop alternatives to address the issue of plastics in California.
11. **Plastic Trash Bag Report:** The CIWMB conducted a workshop on January 11 to seek input on the report recommendations to: 1) increase the minimum recycled content above 10 percent, and 2) eliminate the exemption. The board deferred any final decision until after completion of the plastics white paper.
12. **Rigid Plastic Packaging Container Regulations:**
- Regulations to enhance compliance with the rigid plastic packaging container (RPPC) program were approved by Office of Administrative Law and filed with the Secretary of State on April 10. The regulations allow companies that package products in RPPCs to more effectively plan their future compliance with the RPPC law by giving them advance notice of a potential compliance option.
 - As a result of the 1997, 1998, and 1999 certification process, the CIWMB entered into 125 compliance agreements. The compliance agreements provide specific terms and conditions to those companies not meeting the requirements of the RPPC law.
 - For the 2000 certification, 78 companies were mailed certification forms. These certifications will determine whether regulated companies complied with the rigid plastic packaging container law in the regulated year.
13. **Implementation of Executive Order D-16-00:** The Sustainable Building Task Force, represented by a multi-agency, multidisciplinary group of State agencies, continues implementing its plan "Building Better Buildings: A Blueprint for State Facilities." CIWMB monitored progress of assignments by task force members and completed or worked on the following action items in the first half of 2002:
- Created a sustainable building tool kit, a Web site for project managers (www.ciwmb.ca.gov/GreenBuilding/Toolkit.htm).

- Developed an attachment to architecture and engineering contracts of the Department of General Services. The attachment requires contractors to use the Leadership in Energy and Environmental Design (LEED) green building criteria in construction projects, and it significantly updated a checklist with minimum performance criteria to use on projects not suitable for LEED (building projects of smaller size and scope).
- Initiated an effort to develop building performance measures across environmental media: water, air, solid material, and toxics; as well as occupant comfort- and maintenance-related issues. This effort established that there is no database containing building performance data, nor is there an existing database that could easily be adapted for this purpose. It will be a significant effort to develop such a system, and this is important to the continual improvement of building performance.
- Conducted training sessions for the Department of General Services and other State entities.
- Drafted performance standards for State buildings and assisted with the development of a best practices manual for schools (through the Collaborative for High Performance Schools).
- Initiated educational and training activities with State entities that have significant construction-related activities. These included the State Library, which is distributing \$350 million in State grants for local government library construction, and the Department of Housing and Community Development, which administers grants and loans for affordable housing.
- Drafted a case study for the Capital Area East End Project, the first State project seeking LEED green building rating system certification. As part of the certification process, the CIWMB will be receiving considerable data on the materials used in the project. This is also the first state construction project that has participated in the SABRC.
- Evaluated implementation of sustainable building activities in the state and within State agencies. Significant hurdles remain, in particular, to incorporating sustainable building into each stage of the capital outlay process and assuring implementation and accountability of already agreed-upon changes within the Department of General Services.

14. **Green Building Contracts:** More than \$645,000 in green building contracts was awarded to local government and State agencies. These funds will advance sustainable building concepts and products and the incorporation of used and waste tires in building and educational projects throughout the state.

Priorities

1. **Organics Regulatory Issues:**

- PR 1133. CIWMB leadership will continue to respond to South Coast Air Quality Management District's proposed rule 1133 to enclose composting. The CIWMB will complete a contract to provide additional emissions testing data for analyzing impacts of the proposed rule and will continue to coordinate with the composting industry and local jurisdictions on the proposed rule.
- Clopyralid. The board will continue to work with DPR in convening the external stakeholders advisory committee on clopyralid in compost, with the next meeting scheduled for July. AB 2356 (Keeley) is the likely vehicle that will be used to address this threat to the compost industry. CIWMB and DPR also will continue to work with the author's office, herbicide manufacturers, the composting industry, and others on development of the bill.
- Sudden oak death: CIWMB will continue to work with CDFA and the USDA in resolving issues related to movement of infested material. The CIWMB will implement the contract with UC Berkeley for additional research on the efficacy of composting as a treatment method.

2. **Biennial Infrastructure Survey:** CIWMB will implementation the contract for the second survey of California's compost- and mulch-producing industry.

3. **Nursery Compost Use:** CIWMB staff will prepare a short article based on the nursery survey for inclusion in *Biocycle* magazine. Staff will work with the California Organics Recycling Council to develop follow-up workshops on compost use in nurseries.

4. **Sustainable Landscape Education Program:** CIWMB staff will develop a cross-disciplinary sustainable environmental design program for use in university architecture degree programs and landscape architecture industry continuing education programs. The objective will be to promote building and landscape designs that reduce pollution, conserve water and energy, and promote markets for recycled content products, including urban-derived mulch.

5. **State Agency Buy Recycled Campaign:** CIWMB will continue its increased outreach efforts to the largest procuring agencies with the goal of capturing \$400 million in total reportable purchases for fiscal year 2001–02. CIWMB has established a goal of 90 percent of agencies reporting, in addition to an increase in the total number of agencies included in the SABRC. CIWMB will also focus on increasing Department of General Services' role in the SABRC. Specifically, CIWMB will look for an increase in the number of RCPs available on statewide contracts, increased use of the recycled-content certification form, and increased SABRC presence in DGS trainings, outreach, Web site, promotional activities, and publications. In addition, the board entered into an interagency agreement with the State Controller's Office

to audit a select number of SABRC reports and is contracting to perform a program evaluation of the effectiveness of SABRC.

6. **Recycled Product Trade Show:** The 4th Annual Recycled Product Trade Show will be held in Sacramento on April 10 and 11, 2003. CIWMB established targets of increasing exhibitor participation from 112 booth spaces to 150, receiving \$20,000 in sponsorship revenues, and exceeding 2,000 attendees for the two-day event.
7. **Plastics “White Paper”:** CIWMB, in cooperation with the Department of Conservation, is developing an issue paper, or “white paper,” to systematically analyze the manufacture, use, disposal, and recycling of plastics in California. The white paper will develop innovative solutions for overcoming obstacles faced by local jurisdictions, waste haulers, and recyclers attempting to collect more plastic from the waste stream, and by manufacturers wanting to use more post consumer resin in products and packaging. This will help CIWMB refocus its efforts in the management of plastics from rigid plastic packaging containers and trash bags to all types of plastics within the waste stream. The ultimate goal is to optimize plastics use, recycling, and disposal in California. The final report is scheduled to be presented to the board in November.
8. **Rigid Plastic Packaging:**
 - CIWMB, in cooperation with the Department of Conservation, will complete the 2001 processor survey in order to determine recycling rates for all RPPCs and for polyethylene terephthalate (PET) RPPCs. The rates will be considered for adoption in July. These recycling rates will be used to determine the need for a compliance certification for 2002.
 - Conduct certifications for 2001. These certifications will determine whether regulated companies complied with the rigid plastic packaging container law.
 - Present final results of compliance agreements for the combined 1997, 1998, 1999 RPPC certification cycle. The first item should be presented at the August board meeting.
9. **Implementation of Executive Order D-16-00:** This order provides a solid foundation of lasting institutional changes in the way the State designs, constructs, operates, and renovates buildings. Significant updates of action items for the Blueprint for State Facilities include the pre-approved checklist of green building features approved by the Department of Finance, the LEED Supplement for California State Facilities, and the Reference Specification for Energy and Resource Efficiency. It also includes updating the Web site and filling in gaps as new information becomes available. The training program will continue educating building project teams about sustainable building materials and practices with in-depth trainings on selected topics. CIWMB will also work with the Department of Finance and Department of General Services to foster the use of life-cycle costing, which is essential for justifying the higher initial costs of some sustainable building practices. Tracking long-term performance is a priority that will need technology support and resources for creating and maintaining a database. New activities include drafting an annual report and better identifying opportunities to incorporate sustainable building language in State construction authorizations.

Facility Permitting/Enforcement

The Integrated Waste Management Act mandates diversion of recyclable materials from the waste stream and the safe handling and disposal of all nonhazardous solid waste. The CIWMB, in partnership with local governmental agencies, is responsible for regulating the operations of solid waste facilities. It also administers remediation programs for orphaned, illegal, and abandoned dumpsites.

Cal/EPA Goals 4, 5, 7, and 8

Accomplishments

1. **Local Enforcement Agency (LEA) Training:** Several classes have been offered to the LEAs. More than 400 LEAs, operators, and CIWMB inspectors attended load-checking training. Other classes included waste classification, information sharing, and problem-solving.
2. **Enforcement Agency:** CIWMB staff, acting as enforcement agency in five local government jurisdictions, conducted 138 inspections of 27 different facilities. This is an ongoing effort.
3. **Construction and Demolition Regulations:** CIWMB staff conducted the second round of public workshops on December 13, 2001, in Diamond Bar, and in Sacramento on January 10, 2002. The workshops were held to solicit input on both phase I (transfer and processing of construction, demolition, and inert debris) and seek initial input on phase II (disposal of construction, demolition, and inert debris). On January 22–23, 2002, the board directed staff to begin a 45-day comment period, which was initiated on May 31 and extends until July 15, 2002. At its April 8, 2002, meeting, the permitting and enforcement committee directed staff to begin a 45-day comment period for the phase II regulations. Staff is currently preparing this regulation package for noticing.
4. **Hazardous Waste Disposal Facilities Disposing Nonhazardous, Nonputrescible, Industrial Solid Waste Regulations:** At its meeting on January 22–23, the board directed staff to make specified changes to the regulations and initiate a 15-day comment period, which extended from January 31 through February 15. The board adopted permanent regulations at its February 19 meeting. The Office of Administrative Law (OAL) approved the regulations on May 23.
5. **Compostable Materials Regulations:** The board held a 45-day public comment period on these proposed regulations and a May 14 public hearing. Staff continued to analyze the comments received during the comment period and public hearing.
6. **Permanent Regulations for Waiver of Permit Terms and Conditions During Temporary Emergencies:** Proposed permanent regulations were presented to the board at its January meeting). Staff is currently preparing the regulation package for noticing.
7. **Financial Assurance:** CIWMB notified 181 operators of the need to update their financial assurance mechanisms for solid waste landfills and major waste tire facilities based on the

current inflation factor. Staff is taking enforcement action against one operator who failed to provide adequate environmental liability insurance. Culminating a five-year effort, the board approved changes to the financial assurances regulations that impose strict conditions on captive insurance used as a financial mechanism for landfill closure. The regulations went into effect on June 8.

8. **Landfill-Gas-to-Energy Task Force:** Landfill gas-to-energy (LFGTE) was identified as a priority in the last six-month report. A guidance document (California Primer) to facilitate LFGTE has been completed as part of an LFGTE task force. The CIWMB is a partner in the LFGTE task force with U.S. EPA, California Energy Commission, and ARB. The task force is facilitating site-specific LFGTE projects in California and has been directly involved on several projects. Bioreactor landfill technology is also an area of significant accomplishment and has significant potential to expand production of LFGTE. The Yolo County full-scale bioreactor landfill demonstration project has successfully completed the initial phase funded in part by an earlier \$400,000 grant from the CIWMB.
9. **LEA Evaluations:** CIWMB completed the LEA evaluation process and finalized evaluation results for 47 of the 56 LEA jurisdictions. CIWMB completed monitoring LEA compliance with evaluation work plans that address performance issues identified in LEA evaluation results for Alameda and San Benito counties. CIWMB continues to monitor LEA compliance with evaluation work plans for the following jurisdictions: Imperial, Tulare, San Luis Obispo, Monterey, and Amador counties. In February, evaluation staff presented to the board an LEA evaluation status update for the period ending December 31, 2001.

Priorities

1. **Local Enforcement Agency (LEA) Training:** CIWMB is continuing to coordinate an ongoing variety of LEA training sessions that in the next six months will include inspector field training tours, hands-on landfill gas training, and understanding Cal/OSHA. In addition, the 6th Annual LEA/CIWMB Partnership Conference will be held in August. Technical sessions will range from post-closure development to conversion technologies. This conference offers LEAs and CIWMB staff networking opportunities and chances to share successes and obstacles and to enhance our partnership.
2. **Enforcement Agency:** CIWMB staff will continue to act as enforcement agency in five local government jurisdictions.
3. **Compostable Material Regulations:** Final regulations are expected be completed for adoption by the CIWMB in late fall, then submitted to the Office of Administrative Law in December. Once the board's rulemaking effort is completed, CIWMB staff will begin training LEAs and operators in the development and use of the odor impact minimization plan required in the regulations to assist in the early implementation of this new standard.
4. **Landfill-Gas-to-Energy Task Force:** CIWMB will continue participation in the LFGTE task force. CIWMB will implement a plan to incorporate flexibility for State approval of

bioreactor landfill projects upon adoption by U.S. EPA of a Resource Conservation and Recovery Act Subtitle D regulation on research, development, and demonstration projects.

5. **LEA Evaluations:** CIWMB will be completing the LEA evaluation process and finalizing evaluation results for the following jurisdictions: Kern, Tehama, Fresno, Yolo, Colusa, Inyo, and El Dorado counties, and the multiple LEA jurisdictions of Lassen/Modoc/Plumas/Sierra, and Mono/Alpine counties. CIWMB will monitor LEA compliance with evaluation work plans that address performance issues identified in LEA evaluation results for the following jurisdictions: Imperial, Tulare, San Luis Obispo, Monterey, and Amador counties. CIWMB anticipates that some additional LEA jurisdictions will require monitoring once their evaluation results are finalized. Upon completion of the remaining LEA evaluations, staff will present to the board an LEA evaluation status update for the current cycle.
6. **Rulemaking:** The following rulemaking efforts will continue:
 - Process for board withdrawal of approval of local enforcement agency designations: CIWMB staff anticipates concluding this rulemaking in the summer of 2002.
 - LEA enforcement assistance grants: Staff tentatively anticipates concluding this rulemaking in the summer of 2002.
7. **LEA Outreach and Issue Research:** CIWMB staff continues to work with other Cal/EPA entities, the California Department of Food and Agriculture, and university contacts on various issues including potential bioaerosols and clopyralid contamination in composting, sudden oak death, and avian and potential animal product composting.
8. **Best Management Practices (BMPs) for Compostable Materials:** CIWMB continues efforts to coordinate with industry, LEAs, and local and State government agencies in developing best management practices and odor mitigation measures to satisfy the requirements of SB 675 (Costa, Chapter 788, Statutes of 1997) and SB 88 (Costa, Chapter 424, Statutes of 2001). Incremental research on odor-based BMPs that integrate feedstock handling and composting technologies must proceed to assure a “good neighbor” status for existing, as well as new, operations.
9. **Universal Waste Rule/Cathode Ray Tube (UWR/CRT) Working Groups Support:** CIWMB continues to participate on the UWR and CRT working groups and to facilitate resolution to LEA questions regarding these issues.

Waste Tires and Special Waste

The CIWMB is responsible for the safe management of more than 36 million waste tires generated, imported, and stockpiled annually in California. The five-year plan for the elimination of waste tires requires that CIWMB undertake cleanup activities for illegal tire sites, upgrade the waste tire hauler program, stimulate market activities, and implement a tire disposal fee for each new tire sold in California. The CIWMB is also responsible for the oversight of the State’s used oil and household hazardous waste recycling programs. The CIWMB works in conjunction with

local governments and private organizations to encourage Californians, through public outreach and grant programs, to properly manage and recycle used motor oil and hazardous household products.

Cal/EPA Goals 4, 5, 7, 8

Accomplishments

1. Remediation of Illegal Sites:

- Westley tire fire site. CIWMB has begun the clean up of the Filbin tire fire site in Westley. Remedial activities (actual cleanup, confirmation sampling, and the final site remediation report) should be completed within the next year. The five-year plan approved by the board allocated \$11 million for the remediation of this site over four years; \$6 million has been spent. Since the board began work at the site, approximately 160,000 tons of contaminated materials have removed from the site at cost of about \$9.7 million.
- Tracy tire fire site. CIWMB is working with U.S. EPA and other Cal/EPA entities to develop a site characterization plan that will identify the extent of the contamination from oil and ash residues at the Royster tire fire site in Tracy. This plan should be complete during the summer of 2002. Upon completion of the site characterization, CIWMB will work with U.S. EPA and Cal/EPA to develop a site remediation plan that is a necessary first step to begin the cleanup of this site. The five-year plan approved by CIWMB allocates \$9 million for the remediation of this site over four years.

2. **Do-It-Yourself and Used Oil Disposal Study:** In May, the board approved a contract with Public Research Institute (PRI) of San Francisco State University to further study oil disposal behavior, attitudes, media use and message, and incentive receptivity of California residents who change their own automotive oil. With data gathered from a survey of 3,808 people and focus groups, PRI will extrapolate additional information to further identify the individuals who change their own automotive oil and the message that would influence them to recycle their used motor oil and filters. In addition, PRI will develop a simple tool kit for local government agencies and community groups. The kit will include a summary of survey results and recommendations and tools to help local agencies to conduct their own surveys.
3. **Used Oil Forum:** In January, the CIWMB held an annual used oil forum for local government and nonprofit grant managers. The forum provides a consistent method for grant managers to share information, receive technical assistance, and share successful used oil recycling programs. The forum drew more than 200 attendees who were able to exchange ideas, gather information, and network over a two-day conference held in Sacramento.
4. **Household Hazardous Waste Statewide Conference:** The CIWMB, in conjunction with the Department of Toxic Substances Control, supported a statewide household hazardous waste/used oil technical conference in May to support local government and industry. CIWMB Board Member José Medina presented the CIWMB Strategic Plan and discussed

environmental justice efforts. Staff members provided technical assistance on e-waste developments, grant streamlining, green purchasing, and special waste management issues.

Priorities

1. **Waste Tire Manifest Tracking/Monitoring System:** In November 2001, the CIWMB held workshops on the development of the new used/waste tire manifest. After several recommended changes by industry, a pilot program was initiated to determine the effectiveness of this system. Barring a few recommended changes, the new used/waste tire manifest and trip log proved successful. This new manifest system is anticipated to begin October 1, with several training venues available throughout the state prior to its release. In addition, a video and/or instructional booklet will be made available to all haulers, generators, and end-use facilities at the onset of this release. Scanning equipment has been purchased and training is underway for the input of this collected material.
2. **Five-Year Plan:** CIWMB will implement the provisions of the five-year plan, including addressing staffing needs, managing various contracts, implementing priorities for cleanup set in the plan, and awarding and administering grants under the six grant programs. The two-year revision effort, mandated under SB 876 (Escutia, Chapter 838, Statutes of 2000), will begin in the fall. Workshops with stakeholders will be held in September to gather comments on how the plan has worked to date and what changes would help. Also in the fall, full-scale testing and implementation of the reformatted waste and used tire manifest will begin.
3. **Remediation of Illegal Sites:**
 - Westley tire fire site. CIWMB will continue implementation of the remedial action plan and the cleanup of the Filbin tire fire sites in Westley.
 - Tracy tire fire site. Characterization work is nearly complete. Upon completion, the CIWMB will begin work with U.S. EPA and other Cal/EPA entities to develop a remedial action plan for this site. In addition, the board will award contracts and begin implementation of the remedial action plan and the cleanup of the site.
4. **Waste Tire Recycling Conference:** CIWMB has awarded a contract and will enter into an agreement with CSU-Sacramento to sponsor a conference in Northern California in fall 2003.
5. **Technical Working Groups:**
 - California Resource Recovery Association, Household Hazardous Waste Technical Council. CIWMB participates in this ad hoc household hazardous waste group that studies extended producer responsibility issues that includes CRTs and e-waste. In 2002, this group will begin examining issues related to paint.
 - Household Hazardous Waste Standardization Committee. CIWMB participates in this national committee, whose goal is to develop a cost calculator to compare the costs and efficiencies of various household hazardous waste programs.

6. **Community-Based Social Marketing:** Publicity and education are “core requirements” of all board-funded used oil and household hazardous waste programs. Too often, publicity and education is information-based. It uses various advertising media with the presumption that if the community is informed, then desired behavior (responsible collection and recycling) would be accomplished. Behavior change is too often represented to be the number of ads run or premiums given away at an event. However, an increasing body of research by various social marketers strongly suggests that information campaigns are not effective in changing behavior. Staff will be proposing workshops and training sessions to introduce grantees to various social marketing techniques to supplement or replace their existing publicity and education efforts and hopefully improve performance.
7. **Used Oil Recycling Forum:** CIWMB will sponsor a statewide used oil forum in December to support local government and nonprofit grant managers. The forum fosters information sharing on successful used oil recycling programs. It also enhances regional partnerships and facilitates networking, which is essential to the growth and continued success of the used oil recycling program.

**OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT**

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

The mission of the Office of Environmental Health Hazard Assessment (OEHHA) is to protect and enhance public health and the environment by objective scientific evaluation of risks posed by hazardous substances.

Consistent with the goals and objectives outlined in Cal/EPA's Strategic Vision, OEHHA provides health assessments and health risk assessment guidelines to Cal/EPA's boards, departments, and offices. OEHHA's accomplishments and priorities for the first half of 2002 concern its scientific investigations and assessments of the health effects of exposures to air pollutants, pesticides, drinking water contaminants, and other hazardous substances. OEHHA also assisted Cal/EPA with promoting environmental justice by providing expertise to Cal/EPA boards and departments to minimize any disproportionate impacts that hazardous substances may have on low-income and minority communities.

Strategic Plan Goals

OEHHA's primary responsibility is to develop scientific information needed to protect human health and the environment. OEHHA is not a "traditional" regulatory agency in that it does not issue permits or enforce laws and regulations. Instead, OEHHA provides State and local agencies with information on the toxicity of hazardous substances. That information is then used in setting standards, enacting regulations, and taking other actions to reduce exposure to toxic substances. OEHHA's accomplishments and priorities reflect its responsibilities and support the following goals established in the 2001 strategic plan:

Goal 1: Improve the quality of the public's health and the environment.

Goal 2: Advance the science for the evaluation of risks posed to the public health and environment, and provide risk assessment leadership for the State of California.

Goal 3: Provide quality, useful, and equitable service to the public.

Goal 4: Seek continuous improvement in the effective and efficient use of our internal resources to accomplish our mission.

Children's Environmental Health Protection

Under the Children's Environmental Health Protection Act (SB 25, Escutia, Chapter 731, Statutes of 1999), OEHHA—in conjunction with the Air Resources Board (ARB)—has been investigating the effects of chemical contaminants in the air on children's health. These contaminants include particulate matter (PM) and sulfates. Children may have greater exposure than adults to airborne pollutants because they spend more time outdoors and they breathe more rapidly than adults. Children are also more susceptible to the health effects of air pollution because their immune systems and organs are still developing.

As part of these investigations, OEHHA is currently reviewing whether the State's ambient air quality standards are adequate to protect the health of infants and children. OEHHA is also examining contaminants of concern that may be present at school sites.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goals:

Cal/EPA Goal 1: Air that is healthy to breathe, sustains and improves our ecosystems, and preserves natural and cultural resources.

Cal/EPA Goal 5: Reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

Cal/EPA Goal 7: Continuous improvement and application of science and technology.

Accomplishments

1. **Particulate Matter Ambient Air Quality Standards:** OEHHA completed the draft report describing the scientific literature on the health effects of particulate matter (PM). In 2000, OEHHA and ARB made particulate matter the highest priority for review under the Children's Environmental Health Protection Act because of evidence that the current standard may not adequately protect children. The report and proposed standards underwent public comment as well as review by the Air Quality Advisory Committee (an independent scientific panel convened by the University of California), and was submitted to the ARB for its consideration and adoption.
2. **School Site Risk Assessment:** OEHHA staff released for public comment the report titled "Development of Health Criteria for School Site Risk Assessment Pursuant to Health and Safety Code 901(g)." It identifies chemical contaminants commonly found at school sites that are determined to be of greatest concern. The assessment is based on criteria that identify the exposures and physiological sensitivities of children to these contaminants. The document explains how the list of contaminants was compiled.
3. **East Bay Children's Respiratory Health Study:** OEHHA evaluated data collected from schools in the greater Oakland area to examine any associations between traffic-related air pollutants and children's respiratory health. Preliminary analyses indicate that proximity of schools to heavily traveled roadways may be associated with respiratory symptoms in the children. OEHHA, through a contract, also completed neighborhood monitoring that will be used to evaluate overall exposure in neighborhoods to air pollutants.
4. **Statewide Traffic Studies and Children's Respiratory Health:** OEHHA has evaluated the proximity of California schools to roadways. The study indicated that 10 percent of California's public schools are within 150 meters of busy roadways (more than 25,000 vehicles per day) and 2.3 percent of public schools are within 150 meters of high traffic roads (more than 50,000 vehicles per day). This data is important in assessing factors that may contribute to children's exposures to traffic-related air pollution.

5. **Children's Environmental Health Symposium:** OEHHA held its third annual symposium on children's environmental health on May 30–31 in Sacramento. The symposium featured presentations on the exposures of children to environmental contaminants and related children's environmental health issues.

Priorities

1. **Ambient Air Quality Standards for Particulate Matter:** OEHHA will continue working with the ARB to complete comments regarding the proposed revisions to the Ambient Air Quality Standards for PM10 and PM2.5 (particulate matter of 10 and 2.5 microns).
2. **Criteria Air Pollutants:** Ozone—OEHHA will begin a review of epidemiological and toxicological literature in preparation for a reevaluation of the State standard. Ozone was given second highest priority (following particulate matter) during the review and prioritization of the ambient air quality standards under the Children's Environmental Health Protection Act.
3. **School Site Risk Assessment:** Staff will identify and develop toxicity criteria for five chemicals found at schools that may be of greatest concern to children's health. Staff will also develop guidelines for the assessment of risks from chemical contaminants at school sites.
4. **East Bay Children's Respiratory Health Study:** OEHHA will continue to analyze data from the East Bay children's respiratory health study to examine the relationship between busy roadways near schools and respiratory symptoms in children.
5. **Statewide Traffic Studies and Children's Respiratory Health:** OEHHA will complete more detailed analyses of the proximity of schools to heavily traveled roads to further examine demographic and socioeconomic trends concerning the exposure of California schoolchildren to traffic-related pollutants.
6. **Risk Assessment Evaluation:** OEHHA will continue evaluating its health risk assessment methods for adequacy in protecting infants and children. This includes reviewing scientific literature to gain a better understanding of the differences in exposure and response to toxicants by age. It also includes developing proposed changes to the risk assessment guidelines used for identifying levels of exposures to toxicants that would not be expected to pose a significant health risk. OEHHA anticipates that this evaluation will be completed in late 2004.

Public Health Goals

The Calderon-Sher California Safe Drinking Water Act of 1996 requires OEHHA to develop public health goals (PHG) for chemical contaminants in drinking water. A PHG is the level of a chemical contaminant in drinking water that, based upon currently available data, does not pose a significant risk to health. State law requires the Department of Health Services to set regulatory

drinking water standards as close to the corresponding PHGs as is economically and technically feasible.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goal:

Cal/EPA Goal 3: Groundwater that is safe for drinking and other beneficial uses.

Accomplishments

1. **PHG for Perchlorate:** OEHHA has completed a draft PHG for perchlorate in drinking water. Following the posting of the draft PHG, OEHHA held a public comment period and public workshop to receive comments on the draft PHG.
2. **PHGs for 11 Chemicals:** OEHHA has released draft PHGs for the following 11 chemicals: asbestos; barium; beryllium; chlorobenzene; 1,1,-dichloroethane; diethylhexyladipate; ethylene dibromide; hexachlorobenzene; silvex; 1,1,2,2,-tetrachloroethane; and toxaphene. Public comment periods and workshops are scheduled for these proposed PHGs. OEHHA also continued work on development of a draft PHG for arsenic.

Priorities

1. **PHG for Arsenic:** OEHHA expects to complete a draft PHG for arsenic, send the draft out for peer review, and post the document for public review this fall.
2. **PHG for Perchlorate:** OEHHA will continue to review public comments on its draft PHG for perchlorate in drinking water and should issue the PHG during the second half of 2002.
3. **PHG for Hexavalent Chromium (Chromium VI):** OEHHA is continuing its investigations of the potential health effects of chromium VI in drinking water and expects to complete a PHG for the substance by spring 2003.
4. **PHGs for 11 Chemicals:** OEHHA will complete the public-comment period for 11 draft PHGs and will hold a public workshop in July to receive public comments. The chemicals are asbestos; barium; beryllium; chlorobenzene; 1,1,-dichloroethane; diethylhexyladipate; ethylene dibromide; hexachlorobenzene; silvex; 1,1,2,2,-tetrachloroethane; and toxaphene.
5. **PHGs for 19 Additional Chemicals:** OEHHA will continue the development of draft PHGs for 19 chemical contaminants in drinking water.

Environmental Protection Indicators For California (EPIC)

OEHHA is the lead agency for the Environmental Protection Indicators for California (EPIC) project. The agency will develop environmental indicators that will be used to assess the overall health of California's environment and the effectiveness of the State's environmental programs.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goal:

Cal/EPA Goal 8: An efficient and effective Cal/EPA in pursuit of its mission.

Accomplishments

1. **EPIC Report:** The project has released two documents: (1) “Environmental Protection Indicators for California,” which describes the process for the identification and selection of environmental indicators and presents the initial set of environmental indicators; and (2) “Environmental Protection Indicators for California: Understanding Environmental Conditions Through Indicators,” a condensed version of the first document that highlights selected indicators from the full report and is intended for a broader audience. The full report is available on CD-ROM and on the OEHHA Web site at www.oehha.ca.gov/multimedia/epic/Epicreport.html

Air Toxics Hot Spots Program

Health and Safety Code section 44300 (the Air Toxics Hot Spots Information and Assessment Act) mandates OEHHA to develop guidelines for assessing health risks posed by major California facilities that emit air toxins.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goal:

Cal/EPA Goal 1: Improve the quality of the public’s health and the environment.

Accomplishments

1. **Reference Exposure Levels:** OEHHA submitted five proposed chronic reference exposure levels (REL) to the Scientific Review Panel on Toxic Air Contaminants (SRP), a panel of independent scientists administered by ARB. One REL, for carbon disulfide, was approved and adopted for the Air Toxics Hot Spots program. OEHHA has also drafted a chronic REL for crystalline silica. The REL is currently undergoing management review. (A chronic REL is an airborne level of a contaminant that would pose no significant health risk to individuals indefinitely exposed to that chemical at that level.) RELs are based solely on health considerations and are developed from the best available data in the scientific literature. The RELs reflect considerations of potential health impacts on infants and children, as required by the Children’s Environmental Health Protection Act.
2. **Guidance Manual:** OEHHA, in cooperation with ARB, released for public review the draft “Air Toxics Hot Spots Guidance Manual for Preparation of Risk Assessments.” The document condenses information from the four technical support documents adopted for use in conducting health risk assessments for the Air Toxics Hot Spots program. The guidance manual will be used by local air quality management districts and air pollution control districts as well as the facilities conducting risk assessments. The document will undergo peer review by the SRP.

3. **Risk Assessment Reviews:** OEHHA has reviewed 11 risk assessments submitted by the air districts under the Air Toxics Hot Spots program.

Priorities

1. **Reference Exposure Levels:** OEHHA will continue to work with the SRP on approval and adoption of four RELs for the Air Toxics Hot Spots program. In addition, OEHHA will work toward finalizing the chronic REL for crystalline silica.
2. **Guidance Manual:** OEHHA will continue to work with ARB and the SRP on finalizing the “Air Toxics Hot Spots Guidance Manual for Preparation of Risk Assessments.”
3. **Health Risk Assessment Review:** OEHHA will continue to review health risk assessments submitted by the air districts under the Air Toxics Hot Spots program.

Toxic Air Contaminant Program

OEHHA performs risk assessments of substances that are candidates for regulation by ARB under the Toxic Air Contaminant Identification and Control Act (AB 1807, Tanner, Chapter 1047, Statutes of 1983).

Priorities under this category are linked to the following Cal/EPA Strategic Vision goal:

Cal/EPA Goal 1

Priorities

1. **Environmental Tobacco Smoke:** OEHHA will complete the update of the report “Health Effects of Environmental Tobacco Smoke.” The document will undergo peer and public review by early 2003.

Health Risk Assessments for Chemical Contaminants in the Environment

OEHHA’s health risk assessments and the guidance that OEHHA provides to State and local agencies often form the basis for regulatory actions that reduce the public’s exposure to hazardous contaminants.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goals:

Cal/EPA Goal 3

Cal/EPA Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

Cal/EPA Goal 6: Ensure the efficient use of natural resources.

Accomplishments

1. **Action Level for Chlorate:** OEHHA developed an action level of 0.8 parts per billion for chlorate in drinking water. Action levels are health-based advisory levels established for chemicals in drinking water for which regulatory drinking water standards have not yet been established.
2. **Health Risk Assessments for Contaminated Sites:** Staff worked with the State Water Resources Control Board (SWRCB) and the California Integrated Waste Management Board (CIWMB) to evaluate 20 contaminated sites. Staff completed reviews of risk assessment work plans, final risk assessment documents, and remedial alternatives. Staff also completed supporting technical reports for soil gas analysis and sampling strategies.
3. **Health Risk Assessment Training:** OEHHA staff collaborated with the CIWMB closed, illegal, and abandoned sites section to conduct training on the risk assessment process for local environmental assessors.
4. **Fuels Multimedia Impact Assessment Program:** OEHHA completed an assessment for ARB of the potential adverse health effects of a diesel fuel additive package.
5. **Health Risk Assessment of Hexavalent Chromium (Chromium VI):** OEHHA assisted the Department of Health Services in preparing a report to the Legislature on hexavalent chromium (chromium VI) in public drinking water systems in the San Fernando Basin aquifer. OEHHA assessed potential health risks that could be associated with the presence of chromium VI in the region's drinking water. The report was mandated by SB 2127 (Schiff, Chapter 868, Statutes of 2000).

Priorities

1. **Fuels Multimedia Impact Assessment Program:** OEHHA will complete a draft technical support document on the potential adverse health effects of reformulated fuels.

Pesticide Exposure Training, Risk Assessments, and Field Investigations

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goals:

Cal/EPA Goal 4 and Goal 5

Accomplishments

1. **Pesticide-Illness Recognition Training:** OEHHA staff provided training in pesticide illness recognition to physicians and medical personnel throughout California and in Ensenada, Mexico. The training in Mexico was a cooperative effort with the Cal/EPA California-Baja California border environmental program and the Baja environmental health department. Staff also completed a related document, "Guidelines for Physicians Who Supervise Workers Exposed to Cholinesterase-Inhibiting Pesticides" (4th ed., 2002).

2. **Pesticide Exposure Field Investigations:** Staff completed a follow-up survey of possible long-term health ailments among Earlimart (Tulare County) residents who were accidentally exposed to metam sodium in 1999.
3. **Technical Expertise for Pesticide Regulations:** OEHHA assisted DPR in developing and amending regulations for the Human Research Subjects Review Board and the respirator protection standard. OEHHA also began working with DPR to prioritize active ingredients in pesticides for which health risk assessments should be completed.
4. **Peer Review:** Staff completed comments to the U.S. Environmental Protection Agency (U.S. EPA) on 1) its risk assessment guidance for cumulative organophosphate risk assessment and 2) on its draft Food Quality Protection Act implementation policy on the application of uncertainty factors to account for gaps in information on the health effects of pesticides.

Priorities

1. **Guidelines for Cholinesterase-Inhibiting Chemicals:** OEHHA will work with DPR to continue developing guidance for conducting risk evaluations of chemicals that inhibit cholinesterase.
2. **Pesticide Exposure Field Investigations:** Staff will complete the analysis of data collected from the survey of Earlimart community residents.
3. **Technical Expertise for Pesticide Regulations:** Staff will continue to work with DPR to prioritize active ingredients in pesticides for which health risk assessments should be completed.
4. **Health Risk Assessments:** OEHHA will submit findings on chlorpyrifos and other candidates for consideration as toxic air contaminants.
5. **Peer Review:** Staff will submit comments on DPR's draft risk characterization document for methyl bromide by the end of 2002.

Fish Consumption Advisories

OEHHA assesses risks from chemical contaminants in sport fish and issues fish consumption advisories. These advisories provide the public with recommended limits for the consumption of fish species in specific locations that may contain elevated levels of methylmercury and other contaminants.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goals:

Cal/EPA Goal 2: Rivers, lakes, estuaries, and marine waters that are fishable and swimmable, and support healthy ecosystems and other beneficial uses.

Accomplishments

1. **Fish Consumption Advisories:** OEHHA completed a report recommending consumption advisories for water bodies in the Bear and Yuba River watersheds in the northern Sierra Nevada mountain range.
2. **Technical Expertise on Chemical Contaminants in Fish:** OEHHA staff provided technical support to the Department of Toxic Substances Control (DTSC) for DTSC's evaluation of the hazardous waste classification of mercury. OEHHA assisted the Trinity County Department of Environmental Health in evaluating mercury contamination in fish in Trinity Lake and assisted the CALFED Bay-Delta Program, the Central Valley Regional Water Quality Control Board, and the Delta Tributary Mercury Council in developing a fish consumption survey for the Delta. OEHHA provided technical support to the San Diego Regional Water Quality Control Board concerning sediment contamination in San Diego Bay.

Priorities

1. **Fish Consumption Advisories:** OEHHA will continue to work on a draft report for sport fish consumption in San Pablo Reservoir (Contra Costa County) and a final report for sport fish consumption in Black Butte Reservoir (Glenn County). OEHHA will also continue assessments of contaminated fish in Tomales Bay, the Delta, and other water bodies.
2. **Montrose Settlements Restoration Program:** OEHHA is working as a member of a technical advisory committee for the Montrose Trustees to plan fish sampling at piers in Santa Monica Bay neighboring the Palos Verdes Shelf. The Montrose Trustees comprise several agencies: Department of Fish and Game, State Lands Commission, Department of Parks and Recreation, National Atmospheric and Oceanic Administration, and U.S. Fish and Wildlife Service.

California-Baja California Border Environmental Program

OEHHA is participating in the California-Baja California border environmental program, which involves the work of various State and local agencies in California and Mexico that are addressing air and water pollution, hazardous waste contamination, and other environmental problems in the border region.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goal:

Cal/EPA Goal 5

Accomplishments

1. **Training in Toxicology and Risk Assessment:** OEHHA staff conducted training for medical personnel and University of Baja California faculty in toxicology and risk assessment.

2. **Joint Study of Lead Exposure:** The program obtained funding for a joint study of lead exposure among preschool children in Tijuana. The study will be completed with the Baja California health department.
3. **Lead Contamination Analysis:** OEHHA and the Department of Health Services (DHS) analyzed samples of Mexican candies for sale on the California-Baja California border and confirmed that the candies were contaminated with lead. DHS is currently taking appropriate enforcement actions.

Priorities

1. **Training in Toxicology and Risk Assessment:** Staff will continue to conduct training of Mexican colleagues in toxicology and risk assessment.
2. **Joint Study of Lead Exposure:** Staff will continue collaborating with the Baja California Health Department on lead exposure study.
3. **Fish Consumption Advisory:** The program will investigate the feasibility of testing fish in the New River to support the development of a fish advisory. The New River, which crosses the international border between Mexicali and Calexico, has significant chemical pollution.
4. **Border Educational Campaign:** OEHHA will coordinate an educational campaign, in coordination with DHS, for consumers of lead-contaminated candies for sale on the California-Baja California border.

Proposition 65

Proposition 65, officially known as the Safe Drinking Water and Toxic Enforcement Act of 1986, requires the publication and updating of a list of chemicals that are known to the State of California to cause cancer, birth defects, or other reproductive harm. OEHHA is responsible for administering the Proposition 65 program.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goals:

Cal/EPA Goal 4: Seek continuous improvement in the effective and efficient use of our internal resources to accomplish our mission.

Cal/EPA Goal 7

Accomplishments

1. **Safe Harbor Levels:** OEHHA adopted “safe harbor levels” into regulation for 22 chemicals on the Proposition 65 list. Safe harbor levels identify levels of exposures to chemicals that cause cancer or reproductive toxicity that do not require businesses to provide warnings under Proposition 65. Among these 22 chemicals were DEHP, lead, benzene and cadmium.

2. **Administrative Additions to Proposition 65 List:** One substance, triphenyltin hydroxide, was added to the Proposition 65 list of chemicals known to the State to cause birth defects and other reproductive harm. Four other chemicals-bromate, diuron, naphthalene and pyridine-were added to the list of chemicals known to cause cancer.
3. **Clear and Reasonable Warning Regulations:** Following a public hearing and public comment period, OEHHA drafted a revision to State regulations addressing the administering of Proposition 65 warnings in emergency medical situations.
4. **Clarifying Regulations:** The director and chief deputy director of OEHHA met with numerous stakeholders to receive input on regulatory proposals involving safe use determinations and the naturally occurring exemption. The safe use determination regulation was publicly noticed on May 17.

Priorities

1. **Additions to Proposition 65 List:** OEHHA will consider the listing of as many as seven chemicals under the “authoritative bodies” and “formally required to be labeled” listing mechanisms.
2. **Developmental and Reproductive Toxicant (DART) Committee:** The DART committee will consider the listing of two or three chemicals and the delisting of bromacil lithium salt. OEHHA has prepared hazard identification documents on these chemicals. The committee will also consider whether to designate the National Toxicology Program’s Center for Evaluation of Risks to Human Reproduction as an authoritative body.
3. **Carcinogen Identification Committee (CIC):** The CIC will consider the listing of additional chemicals.
4. **Random Selection of Chemicals:** OEHHA will prioritize the 50 chemicals that were randomly selected for further evaluation for possible listing as carcinogens under Proposition 65. Each of the 50 chemicals will be screened for cancer potential based on a review of the available scientific literature and will be prioritized. Chemicals with highest priority will ultimately be reviewed by the CIC.
5. **Clear and Reasonable Warning Regulations:** OEHHA expects to adopt a regulation addressing the administering of Proposition 65 warnings in limited emergency medical situations.
6. **Safe Use Determinations (SUDs):** OEHHA will hold a public hearing on a proposed regulation that would make changes to OEHHA’s rules and procedures for considering SUD applications from businesses. An SUD is an advisory opinion issued by OEHHA concerning the uses of a product containing a chemical listed under Proposition 65 that would not pose a risk to the public and, therefore, would not require a warning. The public hearing will occur July 1.

Registered Environmental Assessor Program

The Registered Environmental Assessor (REA) program certifies and maintains a directory of environmental professionals who are highly qualified to conduct environmental site assessments, oversee site cleanups, perform compliance audits, prepare waste reduction plans, and handle other kinds of environmental work.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goal:

Cal/EPA Goal 4: Seek continuous improvement in the effective and efficient use of our internal resources to accomplish our mission.

Accomplishments

1. **Geology Work Group:** At the request of Cal/EPA, the REA program is overseeing an agencywide work group to evaluate which, if any, of the activities conducted by staff of the Cal/EPA boards, departments, and offices constitute the practice of geology. Membership and meeting dates were identified.
2. **Outreach:** The REA program continued to update its Web site with notices of new legislation and upcoming events and revised registration information. The REA program also began a newsletter for its registrants and presented at numerous conferences statewide.
3. **Review of Proposed Legislation:** At the request of the DTSC, REA staff reviewed a draft regulation on the implementation of the Private Site Management Act.

Priorities

1. **Geology Work Group:** The REA program will continue to oversee the geology work group to evaluate any geology activities.

Other Accomplishments

Accomplishments and priorities under this category are linked to all eight of the Cal/EPA Strategic Vision goals.

1. **Emergency Response for Biological and Chemical Terrorism:** The State is preparing emergency response plans in the event of terrorist attacks using biological and chemical weapons. OEHHA is participating in an interagency committee on biological and chemical terrorism that is evaluating the State's preparedness in event of such attacks and is developing recommendations for further preparedness for emergency response teams.
2. **Toxicology Reviews for Replacement Chemicals:** At ARB's request, OEHHA reviewed the toxicity of tertiary butyl acetate. The review determined whether this chemical is a suitable less-toxic replacement for various volatile organic chemicals in a number of applications. Staff also reviewed the components of PureDry, a replacement for perchloroethylene in dry

cleaning. This was in response to a request from the Bay Area Air Quality Management District.

3. **Neighborhood Assessment Program:** OEHHA continues to work with ARB on its neighborhood assessment program. OEHHA provided health effects information on chromium VI, which has been detected in air monitoring in the Barrio Logan neighborhood in San Diego.
4. **Clandestine Drug Lab Program:** OEHHA completed draft fact sheets on chemicals found at sites used as clandestine drug (methamphetamine) manufacturing labs for DTSC's clandestine drug lab program.
5. **Risk-Based Screening Levels (RBSL):** Staff coordinated with DTSC and SWRCB to develop a list of 54 chemicals in preparation for the mandated peer review of RBSLs by the University of California. RBSLs are levels of a chemical in soil that do not pose a significant health risk to humans exposed to the chemical.
6. **Health Risk Assessment:** Staff completed risk assessment work plans, final risk assessment documents, remedial alternatives, supporting technical reports—such as soil gas analysis—and sampling strategies for 18 contaminated sites.
7. **Human Genome Symposium:** OEHHA organized a symposium, “The Impact of the Human Genome Project on Public Health and Environmental Protection,” which took place on June 18, in Sacramento. The symposium featured speakers who discussed the human genome project and the effect it may have on disease prevention, health risk assessment, and agriculture.
8. **Tire Fire Report:** OEHHA finalized a report on the potential health hazards from exposure to smoke from burning tires. The report was mandated by SB 876 (Escutia, Chapter 838, Statutes of 2000), which was enacted following the tire fire in Westley (Stanislaus County) in 1999.

Other Priorities

1. **Clandestine Drug Lab Program:** OEHHA will complete five additional draft fact sheets on chemicals found at sites used as clandestine drug (methamphetamine) manufacturing labs.
2. **Emerging Environmental Challenges:** Staff will plan a workshop to explore ways in which risk assessors can provide appropriate information to assist risk managers in cases when available scientific data are inadequate for a complete risk assessment. The workshop will use pharmaceuticals and other “non-traditional” chemicals in the environment as examples for study.
3. **PBDEs:** OEHHA is making presentations at scientific conferences on polybrominated diphenylethers (PBDEs), a class of chemicals widely used as flame retardants that persist in the environment. OEHHA will continue to monitor scientific research concerning the toxicity and prevalence of PBDEs.

STATE WATER RESOURCES CONTROL BOARD

STATE WATER RESOURCES CONTROL BOARD and REGIONAL WATER QUALITY CONTROL BOARDS

The mission of the State Water Resources Control Board (SWRCB) is to preserve, enhance, and restore the quality of California's water resources and ensure their proper allocation and efficient use for the benefit of present and future generations.

Water Rights

SWRCB Goal 4: Water resources are fairly and equitably used and allocated consistent with public trust.

Water rights involve the equitable allocation of water for urban, agricultural, and environmental interests. The water rights program authorizes the diversion and/or storage of surface waters for the benefit of California's residents, its environment, and its economy.

Accomplishments

1. **CALFED Bay-Delta Program:** The SWRCB adopted a resolution finding that three proposed Sacramento Valley water management projects are consistent with the 1995 Bay-Delta Plan and the Safe, Clean, Reliable Water Supply Act. (This finding is required before the Department of Water Resources can approve the projects' funding). The SWRCB executive director, Celeste Cantu, approved a plan protecting water users in the southern San Joaquin Delta from lower water levels when the Department of Water Resources and U.S. Bureau of Reclamation use one another's pumps in the Delta (joint point pumping).
2. **Water Transfer From Imperial Irrigation District to the San Diego County Water Authority:** The SWRCB completed hearings on the Imperial Irrigation District's amended water rights petition requesting approval of a long-term transfer of water to the San Diego County Water Authority and for the long-term transfer to the Metropolitan Water District of Southern California and the Coachella Valley Water District.
3. **Report on Groundwater and Water Rights Decisions:** Joseph Sax, a law professor at the UC Berkeley and a highly regarded water law expert, completed a review in January of whether groundwater can be considered a subterranean stream, as it pertains to water rights decisions. The SWRCB asked Sax to conduct the study after the groundwater issue was raised in a proceeding on the San Luis Rey River, San Diego County. Sax found that it was the Legislature's intent to ensure that no groundwater transfer could occur that would "directly" or "appreciably" affect surface stream flows. He also concluded that such decisions could not be made solely on geologic or physical characteristics, and suggested that the

SWRCB interpret its water right permitting authority to consider impacts on surface streams of groundwater diversions. Water development interests opposed the recommendations, saying the recommendations would greatly expand the SWRCB authority on the matter. The SWRCB announced in the spring of 2002 that it would not adopt the professor's recommendations and would instead continue to use its "bed and banks" test in determining the legal classification of groundwater. This test relies more on the physical properties of the subsurface and whether conditions exist that would suggest a channel that confines the groundwater.

Priorities

1. **Bay-Delta Program:** The SWRCB will hold the last workshop in September to review progress and receive reports from the parties attempting a settlement agreement instead of a future SWRCB decision on related Sacramento Basin issues.
2. **San Luis Rey River Water Right Applications:** During the second half of 2002, the SWRCB will issue a decision on whether it has jurisdiction over groundwater extractions.
3. **Imperial Irrigation District Transfer:** The SWRCB will issue and consider adopting a draft water right decision on a proposed transfer from the Imperial Irrigation District to the San Diego County Water Authority, the Metropolitan Water District of Southern California, and the Coachella Valley Water District. The proposed transfer is a key provision regarding the Colorado River. California is now under an obligation to cut back its use of Colorado River water from 5.2 million acre-feet to 4.4 million acre-feet. The SWRCB cannot adopt a final order until a final California Environmental Quality Act document is certified. The hearings are over. The public comment period will be in the fall. A decision may be made next year.
4. **North Bay Aqueduct Water Rights Hearing:** The SWRCB will hold a hearing on water rights applications filed by the cities of Vacaville, Fairfield, and Benicia in the fall of 2002. The cities propose to divert water through the Department of Water Resources' North Bay Aqueduct. The cities claim area of origin (the Area of Origin Law protects local area water from export) and municipal preference to the water they want to divert.

Clean Beaches

Cal/EPA Goal 2: Rivers, lakes, estuaries and marine waters that are fishable, swimmable, support healthy ecosystems and other beneficial uses.

SWRCB Goal 6: Water quality is comprehensively measured to evaluate protection and restoration efforts.

Bacteria from urban and stormwater runoff, sewage spills, and other sources cause periodic closures and warnings at many Southern California beaches. California's beach water quality standards are more stringent than those of many vacation destination states. These standards protect public health. However, beach closures can cause significant losses to regional recreational activity and economies. In order to eliminate or reduce beach closures, the SWRCB

and regional board staffs are implementing the Governor's Clean Beaches Initiative, which draws various regulatory and funding programs and activities together to eliminate the causes of beach closures. The initiative provides \$32.2 million in bond money for projects that eliminate or track the sources of contaminated water flowing to coastal waters.

Accomplishments

1. **Local Projects Funding:** The SWRCB committed \$16.1 million in grant funds to 26 of the 31 agencies identified in Senate Bill 739 to reduce bacterial contamination of beaches.
2. **Rapid Indicator Development:** The SWRCB contracted with the Southern California Coastal Water Research Project to develop rapid, reliable, and affordable diagnostic tests for measuring pathogens in coastal waters.
3. **Santa Monica Bay Pathogens:** The Los Angeles Regional Water Quality Board adopted a dry-weather pathogen total maximum daily load (TMDL) for Santa Monica Bay on January 24. The TMDL establishes the bacteria standards during summer dry weather and requires that no more than 3 percent of single samples may exceed the standard during winter dry weather. A wet-weather pathogen TMDL is being prepared.
4. **Orange County Beaches:** The Santa Ana Regional Water Quality Board adopted general waste discharge requirements on April 26, to eliminate sanitary sewer overflows, a major contributor to Orange County beach closures. An investigation of the California Department of Parks and Recreation sanitary sewer system at Huntington State Beach revealed that this system does not contribute to beach closures.
5. **Mission Bay Pathogens:** The San Diego Regional Water Quality Board developed a work plan for three research projects supporting a coliform bacteria TMDL for Mission Bay. Nearly \$5.5 million from three funding sources will support a virology/epidemiology study, a contaminant dispersion study, and a source identification study.

Priorities

1. **Local Projects Funding:** SWRCB staff will continue assisting agencies in receiving grant funding to reduce bacterial contamination of beaches. The SWRCB will commit another \$7 million in grant funds by December.
2. **Rapid Indicator Development:** The SWRCB's contractor, Southern California Coastal Water Research Project, will advertise a request for proposals, select subcontractors, and execute subcontracts by September 30. The subcontractor will be hired to develop affordable diagnostic tests to measure pathogens in coastal waters.
3. **Coastline Advisory Database:** The SWRCB, assisted by U.S. EPA Beach Act grant funds, will develop a coastline advisory database by October. This revised completion date changed because of modifications in the SWIM database. The database provides easy access to water quality data for the public and for local, State, and federal agencies.

4. **Beach Report Card:** The status of beach water quality will be available on the SWRCB Web site. The information will be updated monthly and include statewide and water quality summaries by county and by beach.
5. **Orange County Sanitation District:** The Santa Ana Regional Water Quality Board will consider whether discharges of advanced primary treated wastewater from the Orange County Sanitation District are the cause of beach postings and closures. The district is considering disinfecting up to 300 million gallons of effluent per day. In July, the regional board will consider amending the district's permit, requiring the district to start a new disinfection program.
6. **Santa Monica Bay:** In August, the Los Angeles Regional Water Quality Board will consider the draft Santa Monica Bay wet weather pathogen TMDL that was released in June. Both the city and county of Los Angeles are developing implementation plans. The city's draft integrated plan for wastewater program calls for collection and reuse of 50 percent of the stormwater runoff by 2020. Staff released the final draft for public review in August. Staff expects to bring the TMDL before the regional board at the September 26 meeting.

Total Maximum Daily Loads

SWRCB Goal 6

TMDLs provide a way of restoring the state's 509 surface waters that are listed as impaired. The TMDL process involves identifying and addressing all sources of a pollutant causing impairment. Ultimately, a permissible amount of the pollutant is allocated to each discharger. Diverse interests in a watershed are involved in drafting and negotiating TMDLs. The SWRCB is pursuing program improvements such as training, guidance, offsets, local agreements, and long-term strategies.

Accomplishments

1. **Impaired Waters Listings-Revision of the Clean Water Act Section 303(d) List:** SWRCB staff released a draft report recommending a variety of changes to the 303(d) list. Staff recommended approximately 195 additions to the list, 70 deletions, and creation of a watch list with about 180 water bodies. The adoption of the 303(d) list by the SWRCB triggers TMDLs for each listed water body. Testimony on the report was heard at three public meetings in May. It is anticipated that the SWRCB will consider approval of the list in November.
2. **TMDLs Adopted as Basin Plan Amendments:** The regional boards adopted the following TMDL basin plan amendments during the first half of 2002. These TMDLs include implementation plans for the following:
 - Santa Monica Bay pathogen (dry weather) TMDL—Los Angeles.
 - Morro Bay sediment TMDL—Central Coast.

- Chorro Creek sediment TMDL—Central Coast.
 - Los Osos Creek sediment TMDL—Central Coast.
 - Chollas Creek diazinon TMDL—San Diego.
3. **TMDLs Submitted to U.S. EPA:** The TMDLs listed below were submitted to or approved by U.S. EPA. Development of TMDLs requires technical analyses of the water quality impairment problem, sources of the problem, and reduction in pollutant loads from the sources necessary to resolve the problem. TMDLs are established via basin plan amendments and include implementation plans in addition to the results of these technical analyses. In some cases, the results of the technical analyses are reported to U.S. EPA before or in lieu of establishing the TMDLs as basin plan amendments with implementation plans. These TMDLs are technical reports that do not have implementation plans with the basin plan amendments:
- Lower San Joaquin River selenium TMDL (approved), salt TMDL (submitted), and boron TMDL (submitted)—Central Valley.
 - Clear Lake mercury TMDL (submitted)—Central Valley.
 - Upper Sacramento River cadmium, copper, and zinc TMDLs (submitted)—Central Valley.
 - Newport Bay/San Diego Creek diazinon, chlorpyrifos, and selenium TMDLs (approved)—Santa Ana.
 - Calleguas Creek chloride TMDL (approved)—Los Angeles.

Priorities

1. **Impaired Waters Listing for 2002 and Policy Development:** The SWRCB will consider adopting the federal Clean Water Act section 303(d) list at its September workshop and board meeting. The list will be sent to the U.S. EPA (U.S. Environmental Protection Agency) by October 1. The SWRCB started developing a policy for listing and delisting impaired water bodies pursuant to the Clean Water Act section 303(d). Issues addressed include acceptable data quality, criteria for prioritizing listed water bodies, and public notice procedures.
2. **TMDLs Scheduled for Adoption as Basin Plan Amendments:**
 - Santa Monica Bay pathogen (wet-weather) TMDL—Los Angeles.
 - Santa Clara River chlorides TMDL—Los Angeles.
 - Los Angeles River pathogens and nutrients TMDLs—Los Angeles.
 - Malibu Creek pathogens and nutrients TMDLs—Los Angeles.
 - San Francisco Bay mercury TMDL—San Francisco Bay.

- Newport Bay/San Diego Creek diazinon and chlorpyrifos TMDLs—Santa Ana.
- Morro Bay pathogen TMDL—Central Coast.
- San Lorenzo River sediment TMDL—Central Coast.
- Las Tablas Creek and Lake Nacimiento metals TMDLs—Central Coast.
- Chorro Creek and Los Osos Creek nutrient TMDLs—Central Coast.
- Clear Lake mercury TMDL—Central Valley.
- Indian Creek Reservoir phosphorous TMDL—Lahontan.

3. **TMDLs Scheduled to be Submitted to U.S. EPA:**

- Mattole Watershed temperature and sediment TMDLs—North Coast.
- Urban Creeks pesticides/diazinon TMDL-San Francisco Bay.
- San Francisco Bay PCB TMDL-San Francisco Bay.
- Tomales Bay pathogens TMDL-San Francisco Bay.

Surface Water Cleanups

Cal/EPA Goal 2

California's surface waters support many beneficial uses, including drinking, swimming, fishing, and aquatic life, as well as agricultural and industrial uses. When the concentration of a pollutant in a river, lake, or other surface waters exceeds standards, cleanup actions are necessary to restore water quality. That, in turn, restores the beneficial use. These efforts are in addition to cleanups taken through TMDLs.

SWRCB Goal 2: Surface waters are safe for drinking, fishing, swimming and support healthy ecosystems and other beneficial uses.

Accomplishments

1. **Contaminated Sediments Cleanup—San Diego Bay:** The San Diego Regional Water Quality Board approved a work plan by the U.S. Navy for contaminated sediment remediation at the mouth of Chollas Creek and the mouth of the 7th Street Channel in San Diego Bay.
2. **New River:** Colorado River Basin Regional Board staff participated in bi-national meetings and tours focusing on pollution abatement of the New River in Mexico.

Priorities

1. **Contaminated Sediments Cleanups:**

- **Delta.** The Central Valley Regional Water Quality Board will consider adopting a cleanup plan for three toxic hot spots in the Delta from agricultural and urban use of chlorpyrifos and diazinon. The regional board is required to adopt a cleanup plan by December and forward it to the SWRCB for adoption.
 - **San Diego Bay.** The San Diego Regional Water Quality Board will issue a cleanup and abatement order setting cleanup levels for the National Steel and Shipbuilding Company and Southwest Marine for contaminated sediment remediation in the San Diego Bay next to their shipyard leaseholds. The regional board will consider agreements with the Navy, the City of San Diego, and the Port of San Diego for remediation work plans.
2. **Acid Mine Drainage—Leviathan Mine:** The Lahontan Regional Water Quality Board will treat acid mine drainage at the Leviathan Mine to prevent overflows in the 2002–03 winter season.
3. **Rosamond Dry Lake—Edwards Air Force Base:** The regional board will adopt a schedule to eliminate overflows from Los Angeles County Sanitation District’s (No. 14) Lancaster wastewater treatment facility that interferes with operations at Edwards Air Force Base.

Water Quality and Surface Water Permits

Cal/EPA Goal 2

SWRCB Goals 2 and 6

The SWRCB is devoting efforts to achieving legislative mandates on waivers, SB 390 (Alpert, Chapter 686, Statutes of 1999), incorporating numeric standards for toxics in permits, and supporting new federal requirements for stormwater permits. SB 390 requires the regional boards to review and adjust the regulation of discharges that have previously received waivers. Under SB 390, all existing waivers of waste discharge requirements will expire on January 1, 2003. A draft statewide plan was distributed to the regional boards.

Accomplishments

1. **Waivers—Senate Bill 390 Implementation:** Two public workshops were held concerning waivers for irrigation return water and stormwater discharges from irrigated lands. The SWRCB is developing a model general order for low-threat discharges.
2. **Recycled Water Discharges to Lake Elsinore:** The Santa Ana Regional Water Quality Board adopted permits for Elsinore Valley Municipal Water District and Eastern Municipal Water District to allow discharges to Lake Elsinore. This action was contrary to nutrient control issues (to be addressed through a TMDL). Water levels in the lake are declining and significant adverse impacts on water contact recreation, wildlife habitat, and other beneficial uses are at stake.

3. **City of Stockton:** The Central Valley Regional Board adopted a National Pollutant Discharge Elimination System (NPDES) permit for the City of Stockton Wastewater Treatment Plant that requires significant upgrades of the facility. The permit addressed the impaired quality of the San Joaquin River, the presence of threatened and endangered species, and complex Delta hydrologic flows.
4. **Blythe Energy Project:** The Colorado River Basin Regional Board adopted a permit for the BEP on June 26. The Blythe Energy Project is a natural gas-fired combined cycle electrical generation power plant fueled by the El Paso natural gas transmission line.
5. **Major Stormwater Permits:**
 - Los Angeles Stormwater permit petitions: The SWRCB received seven petitions challenging the Los Angeles Regional Water Quality Control Board's municipal stormwater permit from various cities in Los Angeles County. The SWRCB denied a stay on April 24 and will issue an order in the fall.
 - The San Francisco Bay Regional Water Quality Board reissued the Santa Clara County municipal stormwater permit.
 - The Santa Ana Regional Board reissued the San Bernardino County municipal stormwater permit.
 - Southern Orange County and San Diego County: the San Diego Regional Board reissued the municipal stormwater permit for southern Orange County. The board approved a model standard urban stormwater mitigation plan, developed by the San Diego County permittees, on June 12.

Priorities

1. **Effluent-Dominated Waters—City of Vacaville Municipal Discharge Permit Petition:** A decision is expected on a petition by the City of Vacaville regarding discharges of secondary-treated effluent to Old Alamo Creek, an effluent-dominated stream (waters with little or no dilution capacity) in Solano County. Through this petition, the SWRCB is considering the statewide proper application of water quality standards for this type of setting.
2. **East Bay Municipal Utility District (EBMUD):** The SWRCB will consider an order responding to a petition on EBMUD's sewage treatment plant permit. The petition raises numerous permit issues, including numeric effluent limitations that could affect sewage treatment operators throughout the Bay Area.
3. **Waivers—SB 390 Implementation:** SWRCB staff will develop a strategy for handling irrigation return water discharges. A public workshop will be held on waivers for timber harvesting operations. The plan will be finalized after strategies for dealing with all categories of waivers have been decided. A model general order for low-threat discharges will be completed. The following provide some waiver situations of significance:

- Agricultural drainage. As a result of the Central Valley Regional Water Quality Board review of its waiver policy on irrigation return waters, a monitoring program will be carried out in the Central Valley to define water quality effects of irrigation return flows.
- Dairies. The Central Valley Regional Water Quality Board is reviewing options for the regulation of the number of dairies that have received waivers.
- Retail fertilizer and pesticide rinse water facilities. The Central Valley Regional Board is reviewing the waiver policy and may prepare updated waivers.
- Timber harvest waivers. The North Coast Regional Water Quality Board will consider reissuing, rescinding, or adopting these waivers.
- On-site disposal systems (septic tanks). The San Francisco Bay Regional Water Quality Board will consider updating the on-site sewage disposal system waiver resolution for Marin County.

4. Statewide Stormwater Permits:

- General industrial activities stormwater permit. The SWRCB will reissue this permit covering thousands of industrial operations. The permit has been delayed for evaluation of monitoring issues. SWRCB workshops will be held on the permit in Northern and Southern California by December.
- General stormwater permit for small municipal separate storm sewer systems. The SWRCB will issue a statewide general stormwater permit covering smaller municipalities by November. At the same time, the SWRCB will consider issuing a policy for designation of small municipalities.
- General construction activities stormwater permit (1–5 acres). The existing general construction permit covering projects greater than five acres will be amended to cover the 1–5-acre projects. The SWRCB will adopt this amended permit in December.
- Retail gasoline outlets. The SWRCB will hold a hearing on a petition regarding the regulation of retail gasoline outlets in municipal stormwater permits and whether outlets should be required to treat runoff.

5. Major Stormwater Permits:

- The North Coast Regional Water Quality Board will adopt the municipal stormwater permit for the City of Santa Rosa including unincorporated areas near the City of Santa Rosa.
- The Santa Ana Regional Water Quality Board will consider reissuing the Riverside County municipal stormwater permit.

- The San Francisco Bay Regional Water Quality Board plans to update the Alameda, Contra Costa, and San Mateo municipal stormwater permits requiring treatment measures and flow controls.
 - The Central Valley Regional Water Quality Board will consider revising the Stockton, Sacramento, and Modesto municipal stormwater permits to include requirements on new development.
 - The Santa Ana Regional Water Quality Board will consider a renewed stormwater permit for Riverside County.
6. **Eradication of Non-Native Species—Silver King Creek, Alpine County:** The Lahontan Regional Water Quality Board will consider whether to allow the California Department of Fish and Game to use rotenone to eradicate non-native species in Silver King Creek to restore native Paiute Cutthroat trout in the watershed.
 7. **San Diego Bay Dischargers:** The San Diego Regional Board will issue NPDES permits to regulate industrial, commercial, and residential areas at three Navy facilities (Point Loma, North Island, and 32nd Street Naval Yard) near San Diego Bay. The regional board will reissue NPDES permits for three San Diego Bay shipyards: National Steel and Shipbuilding Company, Southwest Marine, and Continental Maritime.
 8. **Camp Pendleton:** The San Diego Regional Water Quality Board will adopt an NPDES permit for the discharge of wastewater from the U.S. Marine Corps base, Camp Pendleton, to the City of Oceanside's ocean outfall.
 9. **Pacific Gas and Electric Diablo Canyon Nuclear Power Plant:** The Central Coast Regional Board is scheduled to complete the settlement agreement and consider adopting an NPDES permit for once-through cooling water in late 2002.
 10. **Duke Energy, Morro Bay Power Plant:** The Central Coast Regional Board is scheduled to consider an NPDES permit for this plant in November. Discharge issues regarding a closed cooling system versus an open system have delayed issuing this permit.

Groundwater Protection and Cleanups

Cal/EPA Goals 2 and 3: Groundwater that is safe for drinking and other beneficial uses.

SWRCB Goal 3: Groundwater is safe for drinking and other beneficial uses.

Roughly 40 percent of the state's drinking water comes from groundwater resources. These resources are threatened by a legacy of handling materials and wastes. The problems include leaking underground storage tanks containing fuel or solvents and disposing of spent chemicals. Containment and cleanup of groundwater contaminants, improvements in waste and material handling practices, the use of graphical information systems, and using the best science available are components of the state's groundwater protection program.

Accomplishments

1. **Field-Based Research:** In May, the SWRCB's contractor (UC Davis) delivered the underground storage tank field-based research project report on evaluation of new and upgraded underground storage tanks. Senate Bill 989 (Sher, Chapter 812, Statutes of 1999) required the report. The research used enhanced leak-detection testing to evaluate the performance of underground storage tank system designs in preventing vapor and liquid releases. The project included 182 systems at 55 facilities in Sacramento, Yolo, Riverside, and San Diego counties. All systems complied with current underground storage tank design and construction requirements. Only one leaked any liquid, but research showed that more than 60 percent leaked small amounts of vapors.
2. **Local Oversight Program Agencies and Geotracker:** SWRCB staff has provided 15 of the 20 local oversight program agencies with Geotracker electronic case management tools. Oversight program staff is using the system to manage cases pertaining to leaking underground storage tank cases.
3. **Chromium VI:** The regional boards are investigating and cleaning up sites where past industrial operations have contaminated groundwater with chromium VI.
 - South Gate, Bell Gardens, and Cudahy municipal wells. The Los Angeles Regional Water Quality Board and the Water Replenishment District have narrowed down source areas of chromium VI contamination from municipal wells. Upcoming efforts include a field chemical use survey, 153 site inspections, and well testing.
 - San Fernando Valley. Los Angeles Regional Water Quality Board investigations showed that of the 255 suspected contaminated sites, 105 sites need further assessment while the remaining 150 will be closed. Regional board staff intends to transfer those 105 sites into the State Cost Recovery Program. Cleanup and abatement orders with mandatory cost recovery stipulations will be issued.
 - Hinkley, San Bernardino County. Pacific Gas and Electric resumed groundwater remediation using a treatment system that avoids the transfer of chromium VI to the air.
4. **West College and Clover Drive, Santa Rosa:** The North Coast Regional Water Quality Board staff sampled 140 wells, maintained 30 drinking water filtration systems, and routed 15 houses to the City of Santa Rosa water system as follow-up on PCE and TCE contamination.

Priorities

1. **Chromium VI in Hinkley, San Bernardino County:** Pacific Gas and Electric will begin remediation to control the chromium VI plume and submit a work plan for long-term remediation.
2. **Equilon-Bakersfield Refinery Company:** The Central Valley Regional Water Quality Board will issue a cleanup and abatement order to Bakersfield Refinery to cover

investigation/remediation and the adjoining sales terminal. Cleanup will include a large MTBE plume.

3. **MTBE Sampling at Operating Stations:** San Francisco Bay Regional Water Quality Board staff will send requests to high-threat operating stations in Santa Clara Valley requiring periodic groundwater monitoring for MTBE.
4. **Moffett Federal Airfield:** The San Francisco Bay Regional Water Quality Board anticipates signing a record of decision for remediation and closure of the airfield's 9-acre solid waste landfill.

Monitoring and Assessment

Cal/EPA Goal 7: Continuous improvement and application of science and technology.

SWRCB Goal 6

Water quality monitoring and assessment provides vital information to determine the health of waters, trends in water quality conditions, the need for follow-up investigations, and the basis for prescribing waste discharge limitations in permits.

Accomplishments

1. **Impaired Waters Listings for 2002:** The SWRCB released a draft staff report containing the statewide Clean Water Act section 303(d) list in early April. In May the board held hearings on the draft.
2. **Groundwater Monitoring:** The SWRCB has convened an interagency task force and public advisory committee to develop the comprehensive groundwater quality-monitoring plan mandated by AB 599 (Liu, Chapter 522, Statutes of 2001 [part 2.76, section 10780, division 6 of the California Water Code]). Groundwater quality sampling and age dating were completed in the Santa Clara, Livermore-Amador Valley, Fremont, San Jacinto, and Modesto areas. Voluntary sampling of domestic wells was completed in a pilot area in the Sierra foothills.

Priorities

1. **Water Quality Assessment:** The SWRCB will submit (by October 1) a biennial report on the state's water quality to U.S. EPA as required by the federal Clean Water Act. This report will provide water quality information to the public and will be incorporated into the U.S. EPA's national water quality inventory report to Congress. The report will include listings of impaired water bodies as required by the act.
2. **Groundwater Monitoring:** The SWRCB will prepare a draft comprehensive groundwater quality-monitoring plan mandated by AB 599. Groundwater quality sampling and age-dating will be completed in the Sacramento and Fresno areas. Voluntary water quality sampling of domestic wells will be conducted in Yuba County. Results of sampling 10 percent of municipal solid waste landfills for radioactive constituents will be compiled.

Water Quality Control Plans

SWRCB Goal 6

Water quality control plans provide a general plan for achieving water quality goals and objectives. These plans are the basis for the permits issued to dischargers. Typically, these plans define the waters and the beneficial uses to be protected, list the allowable pollutant levels, and set out the measures to achieve these goals. Regional boards develop these plans for major watersheds. The SWRCB develops plans to address water quality issues that are common to more than one region. Water quality control plans are reviewed every three years and are subject to SWRCB approval.

Accomplishments

1. **Site-Specific Objective Guidance Document:** The SWRCB contracted with the Great Lakes Environmental Center to develop a site-specific objective guidance document. A site-specific objective is used to set standards for waters that are different from waters covered by statewide standards. A preliminary draft was received on May 15.
2. **Sediment Quality Objectives (SQO):** A negotiated settlement agreement and compliance schedule requires the SWRCB to do the following:
 - The SWRCB will adopt a scoping document and any necessary revisions to the board's 1991 work plan by June 30, 2003.
 - The SWRCB will complete and circulate for public comment a draft proposal for all SQOs and related implementation policies by August 5, 2005.
 - The SWRCB will adopt and submit to the Office of Administrative Law all final SQOs and related implementation policies by February 28, 2007.
3. **Copper and Nickel Site Specific Objectives:** The San Francisco Bay Regional Water Board adopted a basin plan amendment for site-specific water quality objectives and implementation actions for copper and nickel for the southern reaches of San Francisco Bay. This action concludes two decades of efforts to resolve the complex technical and policy issues affecting these reaches.

Priorities

1. **Site-Specific Objectives Guidance Document:** The SWRCB expects to release these objectives in October.
2. **Sediment Quality Objectives:** The SWRCB will contract with the Southern California Coastal Water Research Project to develop sediment quality objectives by November.
3. **Nitrogen/Total Dissolved Solids Task Force:** The Santa Ana Regional Water Quality Board will consider basin plan amendments revising groundwater basin boundaries and water quality objectives for nitrogen and salinity.

4. **Mojave River Watershed:** The Lahontan Regional Water Quality Board will consider basin plan amendments modifying beneficial uses of Searles Lake, Paiute Ponds, Amargosa Creek, and Laurel Pond. The regional board will also consider providing exemptions to a prohibition allowing reclamation activities in the Mojave River watershed.
5. **Central Valley Basin Plan:** The Central Valley Regional Water Quality Board will consider basin plan amendments revising the bacteria objective for the Sacramento and San Joaquin River Basin (in July) and the Tulare Lake Basin (in October).
6. **Deer Creek:** In July, the Central Valley Regional Water Quality Board will consider adopting site-specific pH and turbidity objectives for Deer Creek in El Dorado and Sacramento counties. The regional board will consider site-specific temperature objectives for Deer Creek in El Dorado and Sacramento counties by December.
7. **Cathedral City:** The Colorado River Basin Regional Water Quality Board will consider a basin plan amendment prohibiting the use of septic systems in the cove area of Cathedral City.

Nonpoint Source Control

SWRCB Goal 6

An assessment of water quality conditions in California shows that nonpoint sources of pollution have the greatest effect on water quality. Nonpoint sources are not readily controlled by conventional means. Activities such as cultivating or developing land contribute to pollutants in runoff. Controlling nonpoint sources requires using preventive plans and practices by those directly involved in those activities and by those overseeing such activities.

Accomplishments

1. **Nonpoint Source Progress Report:** The first biennial progress report on California's efforts to prevent and control nonpoint source pollution was submitted to U.S. EPA and the National Oceanic Atmospheric Administration in April.

Priorities

1. **Compliance Assistance:** In September, the SWRCB will release compliance assistance guidance for California's Nonpoint Source Pollution Control Program, pursuant to SB 227 (Alpert, Chapter 560, Statutes of 1999).
2. **Regulations for On-Site Sewage Treatment Systems:** In December, the SWRCB will release draft regulations for permitting and operating on-site systems (for example, septic tanks) AB 885 (Jackson, Chapter 781, Statutes of 2000 [Water Code section 13290]) requires the SWRCB to adopt these regulations by January 1, 2004.

Compliance Assurance and Enforcement

Enforcement is the foundation of regulatory programs; violations must be corrected. Effective enforcement fosters compliance and holds violators accountable. To reinforce their obligations, the SWRCB and regional boards have launched initiatives to carry out fair, firm, and consistent enforcement of water quality and water rights laws and regulations.

Accomplishments

1. **Statewide Water Quality Enforcement Policy:** The Water Board adopted this policy on February 19. The policy identifies priority violations, enforcement alternatives, procedures for calculating penalties, criteria for supplemental environmental projects, and procedures for addressing environmental justice. The SWRCB submitted the enforcement policy to the Office of Administrative Law for approval in June.
2. **Report to the Legislature on the Enforcement Activities of the Regional Boards:** The SWRCB submitted its report to the Legislature on the Enforcement Activities of the Regional Boards per Water Code Section 13385 (n). This report details the violations of NPDES permits for discharges to surface water and the formal and informal enforcement actions for those violations.

Some of the major findings regarding violations and enforcement actions are:

- Twenty percent reduction in the number of NPDES violations from the previous year.
- Forty percent reduction in the number of significant NPDES violations from the previous year.
- Sixty-eight percent of the violations during this reporting period are from facilities that discharge municipal/domestic waste. These facilities account for only 16 percent of the total number of facilities.
- Special districts and cities account for a disproportionate share of the recorded violations. Special districts had 28 percent of the violations and constitute 9 percent of the discharger population. Cities had 32 percent of the violations and constitute 13 percent of the discharger population.
- Enforcement response to violations by the regional boards is approximately the same as the previous year.

Financial Assistance

Cal/EPA Goal 5: Reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

The SWRCB assists communities in eliminating unacceptable human health and ecological risks because of exposure from hazardous substances and other potentially harmful agents. State assistance helps reduce or eliminate the disproportionate impacts of pollution on low-income and

minority populations. About 70 percent of the SWRCB annual budget is comprised of funds that are passed on in the form of financial assistance. These funds provide grants for cleaning leaking underground fuel tanks and loans and grants for wastewater treatment facilities, water recycling projects, nonpoint source projects, watershed projects, and other projects.

Accomplishments

1. **State Revolving Fund Loan Program—Leveraging the State Revolving Fund:**
Repayments from existing loans are leveraged to guarantee a new revenue bond. The advantage is that more loans can be made in this manner than with a direct loan program. The SWRCB successfully leveraged the State Revolving Fund so an additional \$300 million is available to fund projects that will benefit water quality.
2. **Proposition 13 Bond Funds:**
 - Water recycling construction projects. During the first half of 2002, the SWRCB committed funding to 12 construction projects totaling \$43 million in grants and \$38 million in loans.
 - Watershed, Nonpoint Source, and Coastal Nonpoint Source Programs. The SWRCB finalized contracts for 29 of the 64 projects (\$21.8 million) selected in the first year of funding. Projects selected from second year pre-proposals have been requested to submit full proposals (\$82 million). The SWRCB adopted emergency regulations for the \$10 million pesticide management program for the nonpoint source program at its June board meeting. The board approved the remaining 12 projects (\$123.4 million) to be funded from the Southern California integrated watershed program.
3. **Federal Nonpoint Source Grants:** The SWRCB requested proposals from applicants for water quality planning and nonpoint source pollution management grants. During the federal fiscal year 2003, \$6.4 million will become available. For federal fiscal year 2002 grants, contract negotiations started with applicants for \$900,000 in planning funds and \$5.5 million in nonpoint source funds.

Priorities

1. **Proposition 13 Bond Funds:**
 - Water recycling construction projects. The SWRCB anticipates funding five construction projects with \$9.5 million from the funds available.
 - Watershed, Nonpoint Source, and Coastal Nonpoint Source programs. The SWRCB will finalize the 35 contracts for projects selected in the first year of funding (\$21.8 million). The SWRCB will review the full proposals submitted for the second round of funding (\$82 million) and establish a priority list of projects. SWRCB staff will release a request for proposals for projects to be funded from the \$10 million pesticide management program established in the nonpoint source program and will also develop a request for proposals for the third round of funding.

2. **Federal Nonpoint Source Grants:** The SWRCB will review the proposals and establish a priority list of projects submitted in accordance with the federal fiscal year 2003 request for proposals published for federal planning and nonpoint source grant programs (\$6.4 million). Staff will finalize contracts selected for the federal fiscal year 2002 funding.

AIR RESOURCES BOARD

AIR RESOURCES BOARD

It is the mission of the Air Resources Board (ARB) to promote and protect public health, welfare, and ecological resources through the effective and efficient reduction of air pollutants while recognizing and considering the effects on the economy of the state.

Developing and Implementing New Strategies to Effectively Reduce Air Pollution

ARB is responsible for reducing emissions from motor vehicles, off-road equipment, fuels, consumer products, and air toxics. ARB also recommends pollution control measures for the industrial and commercial sources under the jurisdiction of California's 35 local air districts.

Accomplishments

1. **Transportation Conformity Agreement:** ARB coordinated with the Federal Highways Administration, the U.S. Environmental Protection Agency (U.S. EPA), and other local, State, and federal agencies to resolve issues related to new federal guidance on the use of vehicle fleet information when assessing conformity of transportation and air quality plans. In April, ARB reached agreement with the federal agencies on an expedited schedule to incorporate the new vehicle information in 23 state implementation plans (SIP) statewide.
2. **Update the SIP for South Coast:** ARB has worked with the South Coast Air Quality Management District, the Southern California Association of Governments, and other stakeholders on a comprehensive revision to the South Coast SIP. The SIP revision will include new emission data, modeling based on the results of the Southern California Ozone Study, and an update assessment of local, State, and federal strategies to reduce emissions. ARB is expected to consider approval of the plan in early 2003.
3. **Update the SIP for San Joaquin Valley:** San Joaquin Valley failed to attain the federal ozone standard by its 1999 deadline and consequently received a classification of "severe" with a 2005 attainment deadline. ARB worked with district staff to assess the San Joaquin Valley's ability to demonstrate attainment by 2005. Based on the joint analysis, staff of the San Joaquin Valley Unified Air Pollution Control District could not identify enough emission reduction measures to attain the ozone standard by 2005. To avoid the consequences of missing the 2005 deadline, the district governing board at its June meeting committed to formally submitting a request for reclassification to "extreme" by Fall 2003. This would set a 2010 attainment deadline. The governing board also committed to developing an extreme ozone SIP by December 2003 and, in the interim, move ahead with an expedited rule adoption schedule. ARB staff supported the decision to reclassify to extreme and is assisting in development of the extreme SIP.
4. **Residential Waste Burning:** In February, ARB adopted an airborne toxic control measure (ATCM) to reduce emissions of toxic air contaminants from outdoor residential waste burning. The ATCM will eliminate the outdoor burning of non-vegetative residential waste

materials and prohibit the use of burn barrels. This measure will reduce dioxin emissions as well as many other airborne toxics.

5. **Diesel Emission Control Retrofit Verification Procedures:** In May, ARB approved new verification procedures to evaluate diesel emission control devices such as particulate matter filters and oxidation catalysts. The ARB diesel risk reduction plan includes strategies to reduce toxic particulate matter emissions from diesel vehicles and equipment. The verification procedures provide a mechanism to ensure that emission reductions achieved are both real and durable.
6. **Measure M-17 Truck Test Program-NOx (Oxides of Nitrogen) Screening Test:** ARB is developing an NOx screening test for heavy-duty diesel trucks to implement measure M-17 from the 1994 SIP. The ARB team began a pilot study to test heavy-duty trucks on a chassis dynamometer. In another project, portable analyzers were used on trucks in an on-road field-testing demonstration.

Priorities

1. **Phase 3 California Reformulated Gasoline:** ARB will consider amendments to the Phase 3 California reformulated gasoline requirements. The amendments would extend the deadline for removing methyl tertiary butyl ether (MTBE) from gasoline by one year in accordance with the Governor's executive order.
2. **Rice Straw Expo:** ARB has been working toward finding uses for 50 percent of post-harvest rice straw so that it does not have to be burned. In July, ARB will host a rice straw expo, creating an opportunity for communication between rice growers, producers of rice straw products, and consumers of these products. This expo will serve as a forum for educating all parties on potential markets for rice straw and the cost-effectiveness of using rice straw for a variety of products.
3. **M-17 In-Use Testing Program for Heavy-Duty Diesel Trucks:** In December, ARB will consider adopting regulations that would extend its diesel truck smoke inspection program to include testing for NOx and particulate matter to help ensure that truck engines stay within certified emission limits throughout their useful life. This program would involve both roadside screening and in-use compliance testing of heavy-duty diesel trucks.
4. **Urban Vegetation Information Program:** ARB is initiating a voluntary urban vegetation air quality information program to provide information to the public and distributors that will encourage choosing vegetation that is most beneficial to air quality. The program will apply to urban areas and will provide information on hydrocarbon emissions and bioallergens associated with the vegetation. ARB staff is conducting workshops with interested stakeholders and plans to bring the program concept to the board by the end of 2002.

Incorporating Environmental Justice Principles and Children's Health Issues into ARB Actions

Over the last two decades, ARB policies and programs have helped to reduce the health risk from air pollution across California. However, ARB recognizes the need to address neighborhood-scale air quality issues. ARB will work to integrate environmental justice and children's health issues into all of its programs, policies, and actions, and to improve its outreach efforts.

Accomplishments

1. **Improve Cumulative Health Risk Mapping:** ARB has made progress in creating community-friendly maps showing the cumulative risk from air pollutants. ARB developed and demonstrated a prototype of neighborhood-level risk maps to the California Air Pollution Control Officers Association in May.
2. **Particulate Matter Standards to Protect Children's Health:** In June, ARB adopted a joint ARB and Office of Environmental Health Hazard Assessment (OEHHA) proposal to revise California's air quality standards for particulate matter and sulfates to adequately protect children's health. ARB established a new annual average standard for particulate matter 2.5 microns and less in diameter (PM_{2.5}). ARB also lowered the annual average standard for particulate 10 microns and less in diameter (PM₁₀) but kept the 24-hour standard for PM₁₀ and the sulfates standards at their current levels. The board directed staff to analyze further the need to set a 24-hour standard for PM_{2.5}, based on corrected statistical analyses of the original health studies.
3. **Environmental Justice Policies:** ARB staff continues to make progress towards implementing the environmental justice policies and actions adopted by the board in December 2001. ARB developed an environmental justice section, began training for ARB staff, began incorporating environmental justice analyses into ARB reports, and held stakeholders meetings to discuss complaint resolution issues.
4. **Chromium VI (Hexavalent Chromium) Study in Barrio Logan:** As part of the children's environmental health protection program, ARB conducted special monitoring in the Barrio Logan section of San Diego. During the study, ARB found unexpectedly high levels of chromium VI in neighborhoods adjacent to two chrome-plating facilities. In response, ARB initiated an intensive air monitoring study in the affected neighborhoods. ARB conducted ambient air monitoring, testing of control equipment, and indoor air monitoring at the chrome-plating facilities. Local agencies used ARB monitoring data in follow-up enforcement actions.

Priorities

1. **School Bus Idling ATCM:** ARB is developing an ATCM to limit school bus idling to only those times necessary for safety or operational concerns. The proposed ATCM is intended to reduce children's exposure to toxic air contaminants and other pollutants in school bus exhaust. ARB staff will continue to work with stakeholders to discuss issues such as

identifying an acceptable time period for idling. Staff will also work to determine activities and situations that should be exempt from an idling limit.

2. **Report to the Legislature on Air Quality in Portable Classrooms:** As required under section 39619.6 of the Health and Safety Code, ARB and the Department of Health Services (DHS) are conducting a joint study of the environmental health conditions in portable classrooms and will issue a report to the Legislature during the second half of 2002. As part of the study, ARB and DHS have developed recommendations to assist schools in reducing their indoor concentrations of formaldehyde, one of the pollutants of concern.
3. **Report on the Adequacy of the Monitoring Network:** At its December board meeting, ARB will consider a report, as required by the Children's Environmental Health Protection Act, (SB 25, Escutia, Chapter 731, Statutes of 1999) on the adequacy of California's air quality monitoring network in reflecting the levels of air pollutants that infants and children are breathing. To support the evaluation, ARB is conducting special expanded monitoring in six communities across California.

Promoting the Development, Commercialization, and Use of Zero- and Near-Zero Emission Technologies

Development of low-emission technologies has been essential to improving California's air quality while accommodating growth. However, the state has not achieved all health-based air quality standards. In order to achieve and maintain these standards and reduce health risk from air toxics, California needs to pursue development, commercialization, and use of zero- and near-zero emission technologies.

Accomplishments

1. **Guidelines for Fund Distribution for Zero-Emission Vehicle (ZEV) Incentive Program:** In April, ARB approved revisions to program guidelines for the Statewide Zero Emission Vehicle Incentive Program. The guidelines for the distribution of funds include fleet incentive programs in non-attainment areas with preference to fleets operated in low-income and minority areas.
2. **Stationary Fuel Cell Collaborative:** The Stationary Fuel Cell Collaborative was formed in 2001 to encourage the commercialization of fuel cells. The collaborative has a short-term goal of purchasing fuel cell generation units for California government agency buildings. Toward this end, in early 2002, ARB staff reviewed six pre-proposals for procurement and installation of a fuel cell at the Cal/EPA Headquarters Building in Sacramento.

Achieving Necessary Emission Reductions Through Compliance Assistance and Aggressive, Firm, Fair Enforcement

ARB takes great pride in implementing regulations and other programs to improve air quality by limiting or eliminating emissions from statewide sources of air pollution. ARB has established many innovative regulatory programs, but these programs will not deliver the necessary emission reductions unless they are fully implemented.

Accomplishments

1. **On-Board Diagnostic (OBD II) System Requirements:** In April, ARB approved a comprehensive set of new regulations that in 2004 would replace the current OBD II regulations. The regulations were updated to account for newer emission control technologies and lower tailpipe standards, increase the amount of standardized data available to repair technicians and smog check technicians, adopt more specific enforcement provisions, and improve the effectiveness of the regulations for future model year vehicles.

Priorities

1. **Administrative Penalty Program:** ARB will propose amendments to the administrative penalties sections of Title 17, California Code of Regulations. This will give ARB the authority to impose administrative penalties—as an alternative to seeking civil penalties for less serious violations—of mobile and stationary regulations. ARB staff anticipates bringing the program amendments to the board at the end of 2002.

Improve Scientific Understanding of the Relationship Between Air Pollution and Health Effects

The ARB health research program is continuing to advance its understanding of the link between air pollution and public health. ARB is placing an increased emphasis on community health and environmental justice. This is stimulating research within ARB on the health effects of individual and multiple air toxics as well as the impacts of air pollution on vulnerable populations. The indoor air quality and personal exposure program is helping ARB to better understand the sources and health effects of airborne pollutants in schools, homes, and workplaces.

Accomplishments

1. **Field Research for the Children's Health Study to Investigate the Effects of Long-Term Air Pollution Exposure on Child Lung Development:** ARB has completed gathering data for a 10-year field research project to determine the health effects of air pollution on children. The Children's Health Study evaluated 5,200 children over a 10-year period to determine the effects of long-term exposure to air pollution on lung function and asthma development. The study suggests that ozone is a cause of the onset of asthma in children and found that very

active children in high-ozone concentration areas have a two-to-three-times greater chance of contracting asthma than children in other areas.

2. **Fresno Asthmatic Children's Health Study:** ARB continues to make progress on conducting a five-year study to determine the effects of air pollution in Fresno on children with asthma. Approximately 450 asthmatic children between the ages of 6 and 10 years old have been enrolled in the study, which will monitor children's response to air pollution. The study consists of lung function tests, questionnaires, and skin testing for allergies. In early 2002, ARB put into place newly designed mobile monitoring trailers to measure air pollutants at the children's schools. These highly instrumented monitoring trailers will provide vital information to help model the pollution profile of the community in which these children live.

Improving Technical Tools to Assess Air Pollution and Evaluating Air Quality Improvement Strategies

Key to the air quality progress California has made is the robust data and analytical tools underpinning our plans, initiatives, and regulatory strategies. ARB will continue to use the best science to answer the basic questions: to which pollutants are people exposed, and to what degree? What are the pollution sources, and how much do they emit? How does pollution move, react, and accumulate in the atmosphere?

Accomplishments

1. **Refine the Understanding of Particulate Matter Pollution:** ARB completed a preliminary analysis of some of the data collected in the California Regional Particulate Matter Air Quality Study. ARB is expediting use of the best available data for the required revision to the San Joaquin Valley SIP for PM10.
2. **Increased Ability to Assess and Improve Air Quality in the California-Mexico Border Region:** ARB is in the process of deploying five continuous PM10 monitors in Imperial County and Mexicali. These tests will help ARB understand the interrelation between locally generated particulate pollutant emissions and pollutants transported across the border, as well as how these pollutants contribute to exceedances of the air quality standards.
3. **California-Mexico Border Power Plants:** ARB prepared a joint declaration for consideration by the governors of the 10 U.S. states and Mexico border states to address the potential environmental impacts associated with the growing number of power plants being built in the U.S.-Mexico border region. The joint declaration calls for the use of the best available air pollution emission controls and the utilization of cooling technologies that minimize water use by power plants sited in desert regions. The declaration, sponsored by Cal/EPA, was signed by the governors at the annual Border States Governors Conference in June.

Priorities

Increased Ability to Monitor Air Quality in the California-Mexico Border Region: ARB will enter into a formal agreement with Mexico's environmental ministry, Secretaría de Medio Ambiente y Recursos Naturales (SEMARNAT) to ensure the continued operation of an air quality monitoring network in the cities of Tijuana, Mexicali, and Tecate. This agreement will outline the monitoring goals and the responsibilities of the two agencies and will facilitate the transfer of air quality monitoring technology to Mexico. The continued availability of air quality data will allow U.S. and Mexican authorities to better understand the causes and severity of air pollution in the border region, assess the extent of cross-border transport, develop effective pollution reduction programs, and measure progress towards attainment of air quality standards.

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